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BY THE SAME AUTHOR.

A SYSTEMATIC VIEW OF THE SCIENCE OF JURIS-
PRUDENCE.

Longmans, Green & Co.

DIFFERENCE OF SEX, AS A TOPIC OF JURIS-
PRUDENCE AND LEGISLATION.

Longmans, Green & Co.

AN ENGLISH CODE : Its Difficulties, and the Modes of
Overcoming them.

Strahan & Co.

A PRIMER
OF THE
ENGLISH CONSTITUTION
AND
GOVERNMENT.

BY
SHELDON AMOS, M.A.,

PROFESSOR OF JURISPRUDENCE, INCLUDING CONSTITUTIONAL LAW AND LEGAL HISTORY,
TO THE INNS OF COURT, AND EXAMINER IN CONSTITUTIONAL HISTORY
TO THE UNIVERSITY OF LONDON.



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1873.

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INTRODUCTION.

THE true character of this work can only be understood from a consideration of the circumstances under which it was prepared. The writing of it extended over a considerable period of time, and from day to day, as each part of it was composed that part was submitted to the Commissioners of an illustrious Foreign Government, for whose use alone the work was undertaken. The best and most recent authorities were in all cases procured, whether these were in the form of accredited text-books, standard books of reference, Parliamentary papers, Bills before the Houses of Parliament, important political pamphlets, or Acts of Parliament.

The scheme of arrangement arose quite as much out of the circumstances under which the work was composed as out of any special preference on the part of the writer. Prominence was given to some points rather than to others because information was needed upon those points rather than upon others, and the same cause will serve to explain the varying prolixity and minuteness with which the several topics are treated.

One great difficulty experienced by the writer arose out of the historical character of most of the institutions of the English Government. Not to deal in any measure with this historical character must be to leave large masses of the subject wholly unintelligible. To dwell unduly on the historical aspects even of any portion of the subject would distract the attention from the main purpose in view, and, in fact, deluge the mind with what, in the present case, could only be irrelevant matter. Thus a constant exercise of discretion was needed as to when to admit, and when to exclude, references to historical antecedents.

Another difficulty of the same kind as the former one turned on the question as to what were the actual institutions which ought to be presented to the attention of a Foreign Government as characteristically English at the present day. Certainly institutions on the verge of becoming obsolete ought not so to be presented. Nor, on the other hand, ought wholly new and scarcely tried institutions to be so presented. It rested with the writer in every case to use his own discretion, and only to represent those institutions as permanent and eminently characteristic which he himself believed to be so.

It is on this last ground that the writer has from time to time found himself under the necessity of entering upon purely political considerations, and even of taking a side. He felt himself to be, in some measure, the trusted and confidential adviser of those eminent persons who solicited his assistance. Hence, when describing any recent political measure, he felt himself bound to

state the arguments, if any, which he thought recommended or discountenanced its adoption. If there was any political movement in the country which was at present obscure, but which the writer believed would soon become momentous, he had no alternative but to express his opinions unreservedly.

The writer need not describe in this place the respectful courtesy with which his work has, at every stage of it, been treated by those for whom it was originally intended. He believes that he has responded to this courtesy by doing his utmost to represent the facts as they are, neither coloured nor discoloured. Much is to be learnt from a faithful study of the English Constitution, but that much will not be learnt from those who ignorantly praise or as ignorantly blame it. The English Constitution is the product of innumerable social forces acting through a long series of years; and if, on the whole, the good predominates, it is only because good men have been stronger than evil men. The great danger to the Constitution at the present moment is from the accidental and hap-hazard legislation which is now possible and, indeed, habitual in the House of Commons. The claims upon legislative interference are so countless and constantly on the increase that the only topics which can, by possibility, secure full public discussion are those which either affect the momentary balance of the great Political Parties, or have successfully appealed to the ignorance of a considerable section of the population. For most other topics, affecting the remedy of long-subsisting though obscure abuses, or the elevation of depressed classes, or the advance of some ably-conceived

governmental policy requiring many years for its completion, Parliament is too often precipitately rash, or stupidly apathetic, or doggedly antagonistic. The worst, too, is that the very ear of Parliament is getting dull of hearing, inasmuch as the best established moral and political principles, whether affecting Public Liberty, or Public Morals, or the Province of Government, are hardly listened to with patience, while the most superficial generalisation that comes in the guise of figures is eagerly devoured. The cure for this state of things is moral rather than political, and must be sought most of all in such a liberal and widely diffused education, as, coupled with a more effective representation of all classes of society in the House of Commons, may once again enthrone Justice and Liberty in their ancient seat.

A fuller account of the Political Terms explained will be found in the author's *Systematic View of the Science of Jurisprudence*. The section on the "Method of Collecting Government Statistics" has been included on account of the descriptive picture it presents of the breadth and accuracy of the information needed in governmental administration.

9, King's Bench Walk,
Temple, E.C.

1873.

FOR THE USE OF YOUNG STUDENTS, THE FOLLOWING
EXPLANATIONS OF COMMON POLITICAL TERMS ARE
SUBMITTED.

STATE.—(1) A portion of the human race, occupying a definite territory, having a continuous history, and organised for purposes of Government. The word is also sometimes (2) used to express the *Supreme Political Authority* of a nation at a given time.

GOVERNMENT.—The word sometimes (1) is used to express the mere fact of some person or persons in a nation being generally obeyed by all the rest. Sometimes (2) the word signifies the *Supreme Political Authority* at the time,—as in the phrase “Form of Government.” Sometimes (3) the word signifies the persons entrusted with the active duties of carrying laws into effect and regulating certain departments of the State,—as in the phrases “The Queen’s *Government*,” “A Liberal or a Conservative *Government*.”

LAW.—(1) A *Law* is a command of the Supreme Political Authority purporting to direct or control the acts of persons in the community. The word *Law* is also (2) used to denote either a *body of Laws* (in the first sense), or (abstractly) the mere fact of such Laws existing, as in the phrase “under the empire of *Law*.” The word “*Law*” is also used in a variety of other senses for non-political purposes.

LEGISLATIVE.—The *Legislative* Authority of a State is the Supreme Political Authority looked upon as engaged in making Laws.

EXECUTIVE, ADMINISTRATIVE.—These terms are sometimes used convertibly with each other, to express the person or persons to whom the Supreme Political Authority deutes the functions (1) of carrying Laws into effect, and (2) of actively regulating certain departments of the State,—in other words, the term signifies the *Government* in the third of the meanings above given. Sometimes the term *Administrative* is opposed to *Executive*, and is limited to express the person or persons charged with regulating certain departments of the State.

JUDICIAL.—The *Judicial* Authority is that part of the Executive Authority which is concerned with formally and publicly investigating whether Laws have been disobeyed, and who are the persons who have disobeyed them.

MONARCHY.—A form of Government in which the Supreme Political Authority is either restricted in numbers to one person only ("Absolute" *Monarchy* or "Despotism"), or is, in form, restricted to one person, though the power is shared to a greater or less extent by a larger or smaller number of other persons, chosen in a variety of possible ways ("Limited" *Monarchy*).

ARISTOCRACY, OLIGARCHY.—Where the Supreme Political Authority consists of a number of persons, though not a very large number, and chosen either with reference to birth, or to special personal merit, or to some other standard than that supplied by popular election irresponsibly exercised, the form of Government is said by its friends and enemies to be an *Aristocracy*, and sometimes, by its enemies, to be an *Oligarchy*, that is, "Government by a few."

DEMOCRACY.—Where the Supreme Political Authority either consists of a very large number of persons, making a considerable fraction of all the persons in the community,—or where the persons constituting that Authority are directly elected by, and subjected to no other conditions than those implied in the unrestricted choice of, nearly all the persons in the community, the form of Government is said to be a *Democracy*.

REPUBLIC.—This is a term often equally used by the friends both of an Aristocracy and a Democracy to describe those two forms of Government. Where the Supreme Political Authority consists of a number of persons neither very great nor very small, and it is believed those persons are selected on principles likely to conduce in the highest degree to the well-being of the whole community, and the suppression of personal self-seeking, the form of Government is said to be a *Republic*.

CONSTITUTION, CONSTITUTIONAL.—All the Laws and all the customary practices which, taken together, determine the person or persons who shall constitute the Supreme Political Authority of a State, and which ascertain the modes of Legislation, and the method of appointing and restricting the Executive Authority, are compendiously styled the *Constitution* of that State. According as a newly-suggested measure is or is not believed to conform to those laws and practices it is said to be *Constitutional* or *Unconstitutional*.

RIGHT.—(1) A *Right* is a measure of power delegated by the State to persons, said to be thereby invested with the *right*, over the acts of other persons said to be thereby made liable to the performance of a *duty*. This is the strict political sense of the term, though the term has important moral and popular uses from which the above use has to be carefully distinguished. In this strict use, every *right* pre-supposes a *duty*, though every legal duty does not pre-suppose a legal right. The State, which is the source of all legal rights and duties, cannot be strictly said to have legal rights itself, though it may confer on all the official persons who are engaged in its administration such rights as are needed for the purposes of their work.

The following works (among others) have been used in the preparation of the present treatise, and are recommended to students for perusal or reference:—

HALLAM'S *Works*.

BLACKSTONE'S *Commentaries* (Recent Edition).

HADLEY and BROOME'S *Commentaries*.

MAY'S *Constitutional History*.

MAY'S *Parliamentary Practice*.

FREEMAN'S *Growth of the English Constitution*.

PALGRAVE'S *Lectures on the House of Commons*

HOMERSHAM COX'S *Institutions of the English Government*.

CREASY'S *Rise and Progress of the English Constitution*.

GNEIST'S *Self-Government in England*.

FISCHEL'S *English Constitution*.

TOULMIN SMITH'S "*The Parish*."

BURN'S *Justice of the Peace*.

Civil Service Estimates for the Year.

Parliamentary Report of Judicial Statistics.

Report of Select Committee of House of Commons on Local Taxation.

GLEN'S *Public Health Acts*.

Municipal Corporation Act.

ARCHBOLD'S *Quarter Sessions*.

Statistical Society's Journal

Statesman's Year-Book.

GENERAL VIEW OF THE CONSTITUTION AND GOVERNMENT OF ENGLAND.

THE action of the English Constitution depends mainly upon a constant play between *Central* Authority and *Local* Authority.

The CENTRAL Authority is

(1) *Legislative.*

Queen.

House of Lords.

House of Commons.

(2) *Executive.*

Queen.

Cabinet Ministers.

Subordinate Officers.

The LOCAL Authority is very various, and is fixed (1) in the Parish, (2) in the County, and (3) in the Borough or Town.

Local Authorities are either Special Officers or Boards, that is bodies of persons.

These Officers or Boards are necessarily elected by persons living and paying taxes on the spot, though in some cases the Central Executive Authority controls the elections, by refusing to allow certain persons to be chosen, or by appointing additional officers of its own. This is all regulated by special Acts of Parliament.

The principal purposes for which Local Authorities exist are:—

1. The Relief of the *Poor*.
2. The Repair of *Highways*.
3. The Making and Repairing *Sewers*, and doing all other matters connected with the *Public Health*.
4. The Building and Managing of *Lunatic Asylums*.
5. The Building and Government of *Gaols*.

6. The *Lighting* and *Paving* of a town or village.
7. The *Education* of the Poor.

It is to be noticed again that the popular nature of the Central Government, both Legislative and Executive, is secured in the following ways :—

1. By the mode of electing Members of the House of Commons, as elsewhere described.
2. By the power and habit of *Petitioning* both Houses of Parliament, and approaching Ministers of State by *Deputation*.
3. By the *Jury* system, according to which, in all the more important criminal trials, the judges are twelve men chosen out of the body of the people, qualified by having a certain sum of money.

Thus generally one main part of the Government of the country is concerned with making *Acts of Parliament*, by the joint assent of the Queen and the two Houses of Parliament.

Another main part is the *Executive* Action of the Cabinet, and all the Executive Officers representing the Queen.

A third main part is what is done by *Local Officers* or *Local Boards*, in greater or less dependence on the Central Government.

THE MONARCH

The succession to the Crown is regulated by an Act of Parliament, passed in 1700, called the Act of Settlement. By this Act the succession was limited to the Princess Sophia, Electress of Hanover, granddaughter of James I., and her heirs, *being members of the Church of England*,—that is, belonging to one of the great divisions of the Christian religion to which the great body of English people belong.

The Monarch may be either a man or a woman. The present Queen began to reign in 1837. Her eldest son is called the Prince of Wales, and will be King at her death. If he is not then alive, his eldest son will succeed, to the exclusion of his brothers. The sum paid to the Queen for her personal expenses is £60,000 a year. The whole sum paid for the expenses of the Court, pensions to servants, salaries and yearly payments for the support of members of the Royal Family, amounts to £385,000.

The functions of the Monarch may be distinguished into those she has (1) in relation to Parliament and those she has (2) in relation to the Executive department of Government.

In both respects she is always held to act upon the advice of her *Cabinet Ministers*, who are responsible to Parliament. She has the power, however, of choosing or dismissing these Ministers as she pleases, though it is not now customary for the Sovereign to choose or retain Ministers displeasing to the Houses of Parliament. The Cabinet Ministers are presumed responsible to the Houses of Parliament for every public Act to which the Crown is a party. No Parliament can be legally assembled or prorogued or dissolved without the authority of the Queen. If she die, the Parliament, if sitting, lasts for six months longer, unless prorogued or dissolved by the succeeding Sovereign. If the Queen die after the dissolution of a Parliament and before the day appointed for the meeting of a new Parliament, the last preceding Parliament shall meet and continue for a period of six months. A Parliament continues for seven years unless sooner dissolved. In fact Parliaments generally last between three or four years. When a Parliament comes to an end, or is *dissolved*, all the Members of the House of Commons have to be elected afresh. When it is *prorogued*, they have merely to be summoned afresh to meet again. It is now the custom for Parliament to meet every year from early in February till early in August. This is necessary because the Parliament has yearly to make grants of public money and to fix the amount and mode of taxation for the general expenses of Government.

The Queen (acting by the advice of her Ministers) can prorogue or dissolve Parliament whenever she pleases.

The assent of the Sovereign is necessary for every Bill which has passed the two Houses of Parliament to become Law. No occasion now ever occurs in which the Sovereign withholds her consent, but this used to happen in former days.

As to the Functions of the Monarch in her Administrative Capacity.

Acting always under the advice of her responsible Minister:

1. She appoints Ambassadors to Foreign States, and conducts negotiations with those states.

2. She makes *War* or *Peace*, being dependent however upon Parliament for the money for carrying on war.
3. She makes *Treaties* with Foreign States.
4. She has the supreme Command of the Army and Navy, and can increase either,—subject to the control of Parliament over the necessary money. She appoints the Officers of the Army and Navy, subject to certain regulations prescribed by Act of Parliament.

In Judicial Matters.

The Queen is said to be the “Fountain of Justice.” This means that, with the advice of her responsible Ministers :

1. The Queen appoints all *Judges*, of all sorts and degrees, throughout the country.
2. All prosecutions for *crime* are undertaken in her name, and her officers conduct the prosecutions, with or without the help of the person injured by the crime.
3. She can pardon all offences except in case of an *Impeachment*, that is a solemn trial of a public personage, for great crimes, before the House of Lords, on the accusation of the House of Commons. A royal pardon for the offence cannot be pleaded by way of protecting the accused from trial, but the Queen can pardon afterwards.

The Queen can pardon all offences whatever after trial and sentence. The only classes of cases in which this privilege is exercised at the present day are the following :

1. *Political offences*, when the feeling which led to them has long subsided, and there is no danger of its recurrence. Such are (1) *treason* (or a violent attempt to injure the person of the Queen, or to disturb the operation of the Government),—(2) *sedition*, or making a disorderly uproar in order to bring pressure to bear on the Government,—(3) *sedition libels*, or writing words likely to cause disaffection or rebellion.
2. Offences, as to which evidence turns up *after the trial* tending to excuse the prisoner.

3. Offences as to which it appears after the trial that improper evidence, that is, untrustworthy evidence, was received at the trial.

The privilege of pardoning offences is exercised by the Home Secretary, in the name of the Queen.

In certain Miscellaneous Matters.

The Sovereign is said to be the "Fountain of Honour." This means that :—

1. All degrees of nobility are derived from grant of the Crown.
2. All "Corporations,"—that is, bodies of persons united together so as to have certain legal privileges,—are created directly by grant of the Crown, or indirectly so, by compliance with the terms of certain Acts of Parliament.

The Sovereign alone can coin money and impress what stamp upon it she chooses and makes its legally current value what she chooses. The establishment where the coin is made is called "The Mint."

The Sovereign is said to be the "Head of the National Church."

This means that a special form of religion is held to be the public or national religion of this country. The Sovereign appoints all the Bishops and Archbishops, that is, the chief governors of the National Church.

The following special rules apply to the King or Queen :—

They cannot be punished by any legal process, nor can any action at law be brought against them. It has already been seen that though the English King or Queen still retains some slight influence in choosing one set of Ministers rather than another, yet this influence is little more than nominal; and in all the above matters the really active and responsible persons are the Cabinet Ministers, who are practically chosen by Parliament, and only hold their places during the pleasure of Parliament.

THE HOUSE OF LORDS.

The House of Lords is at present composed of 476 Members. They are divided into the following classes :

1. 4 Peers of the Blood Royal, that is, close relations of the Sovereign.
- 20 "Dukes,"—the highest title or dignity in the country.
- 19 "Marquises,"—the next highest title or dignity.
- 109 "Earls,"—the next highest.
- 23 "Viscounts,"—the next highest.
- 231 "Barons,"—the next highest.
- 2 Archbishops } Heads of the Church and representing
- 24 Bishops } the National Religion.
- 16 representative Peers for *Scotland*,—chosen for each Parliament.
- 28 representative Peers for *Ireland*,—elected for life.

The Dukes, Marquises, Earls, Viscounts, and Barons only differ from one another in order of precedence, that is, they are ranked in the above order. They have no other necessary points of difference. They are very old names, and in the early history of the country probably all represented important offices in the Government of the country; but this is no longer so. The titles are now all honorary, except so far as they imply that the holder has a seat in the House of Lords, and they give a bare claim to precedence. The Queen can make as many new Peers as she chooses, and can give them any of the above titles she chooses. When once a person has been summoned to Parliament to sit in the House of Lords, and has actually taken his seat, or when a person has been created a Peer by the Queen's "letters patent," his descendants inherit the right to sit, the eldest son succeeding first on his father's death, and his eldest son again succeeding to the exclusion of the brothers. The order of succession is exactly the same as that to the Crown, except that women may succeed to the Crown in default of men of equal nearness to the last Sovereign. Women cannot sit in the House of Lords, though women may be Peeresses by Royal grant, or even in some Peerages, by descent.

No Peers can be created *for life*, though it has been desired to allow this. The Lord Chancellor, who is an eminent lawyer, and is always made a Peer, presides over the debates in the House of Lords.

At one time, that is about 800 years ago, the House of Lords

was the only Legislative and Executive body in the country. It was composed of the most important persons in the kingdom, whether as holding estates of land from the King, and owing him military services in return, or as having distinct offices in the government of the country. There was then only one Chamber, or House of Assembly, and the King presided, as at a Great Council. Two important changes then took place,—one the separation of some of the chief officers of state from the Great Council, so as to form a smaller council, or “King’s Council,”—the other the separation of the lesser Peers, that is the poorer and less important ones, from the richer and more eminent ones. By this separation a Second Chamber, or new House of Assembly, was created, which was the beginning of the present House of Commons. Later on, only a few of the smaller “Barons” or ‘Knights,” that is the smaller tenants of land from the crown were chosen to represent the rest; and later on, that is in the year 1265, Boroughs or Towns were permitted to be represented by Members in the House of Commons, as well as the Counties or County Divisions.

At the present day, very little business is done in the House of Lords, though the consent of that House is needed for any Bill to become law. When much interest attaches to a Bill there is often a considerable attendance and a warm debate, but they very seldom throw out or much alter a Bill which has been deliberately passed by a good majority of votes in the House of Commons. Sometimes Bills are proposed in the House of Lords, but never Bills affecting taxation, and such Bills, if coming up from the Commons, are never altered in the Lords’ House, though they are occasionally thrown out. Some members of the Cabinet always sit in the Lords’ House (that is some peers are made members of the Cabinet) and, of course, the Lord Chancellor.

The House of Lords is a Court of Justice in two capacities.

1. In the case of an “*Impeachment*,”—a proceeding which is almost disused at the present day, and in which some public personage is accused of offences injurious to the whole State,—by the House of Commons, the House of Lords acts as the Judicial Tribunal before which the accused is brought. This proceeding is one mode of making Ministers responsible for giving bad advice

to the Sovereign. But its use has not been confined to the offences of Ministers. The proceedings are long and cumbrous, and have often been used for "party" or merely political purposes.

2. The second and most important mode in which the House of Lords acts as a Court of Justice is when it sits as a Court of *Appeal* from the judgments of almost all other Courts of Justice. On the trial of an Appeal every Peer has, strictly speaking, a right to be present and take part; but, in fact, it is now a fixed custom for only a very few members of the House to take part in these trials,—that is, the members who have been judges before they entered the House, or still are Judges in some of the Superior Courts. Thus not more than seven or eight Peers, at the most, ever act as this Court of Appeal. This Appeal Jurisdiction is shortly to be abolished.

In order to understand the present state of the House of Lords, it is necessary to say something of the current objections that are made to its constitution, and of the remedies that are suggested.

It is felt by some that as the large bulk of the members of the House of Lords become such only through Birth, there is no security afforded for the wisdom, patriotism, activity or general fitness of the members. It is true that some Peers are very active and public-spirited, but others, again, are indolent and careless of their duties.

Again, as a matter of fact, the House of Lords generally takes little part in public business, sits only a short time each day, and commands a very small share of public confidence. There is, furthermore, a very strong "stationary" element in it,—that is, there are a large number of members who are indisposed to make any change whatever in existing institutions. In consequence of this, a Bill has often to be passed over and over again in successive sessions in the House of Commons before it is finally adopted by the House of Lords.

On the other hand, it is felt that it is better to have *two* Chambers or Assemblies than only *one*. It is better to have a matter considered twice over by bodies of persons elected on different principles rather than to run the risk of a great change in the Law being inconsiderately made by one body of persons alone, acting (it may be) under some special and temporary influences. It is also felt by some that there ought to be some Assembly

distinctly representing nothing else than the old traditional or historical associations of the country, and also what is called the "Landed Interest,"—that is, the interests of the persons who own most of the national soil or land.

The following remedies have been suggested, and are now occupying a good deal of attention:—

(1.) The appointment of a certain number of "Life Peers,"—that is, persons chosen to sit in the House of Lords for their own lives without handing down their right to their children and descendants, and chosen for their conspicuous and tried ability in the Public Service or in Science, Literature, or Art.

(2.) The exclusion from the House of Lords of all the Bishops and Archbishops, as generally being the most "Conservative" body in the House,—that is, the body most averse to political changes. This might be accompanied by (1).

(3.) The permission to the House of Commons themselves to nominate some of their own members as members of the House of Lords. This might be accompanied by (1) and (2).

(4.) The Election of members of the House of Lords by the population of the country on the same principle as that on which the members of the House of Commons are elected,—though on a different basis,—as, for instance, that only persons having so much money or land could be elected or vote at elections. This method is adopted in some British Colonies. It might be compounded with (1), (2) and (3). The members so elected might sit for a longer or a shorter number of years than do the members of the House of Commons.

THE HOUSE OF COMMONS.

The House of Commons has now been for a very long time the most important branch of the Legislature. It consists wholly of Members elected by different classes of the people, the whole number of Members being now 658, comprising those elected by "Constituencies" (or bodies of persons entitled to elect each one, two, or three members) English, Welsh, Scotch and Irish. The important points to be attended to are:—

1. The Places Represented.
2. The Qualifications of Electors.

3. The Mode of Election, and the Penalties for Bribery or Paying for Votes.

4. The Qualifications of Members.

1.—As to the Places Represented.

These places are (1) Counties, (2) Towns or Boroughs, and (3) Universities, or the chief seats of Public Education,—and these are all represented in England, Wales, Scotland, and Ireland.

<i>England and Wales.</i>	<i>Members.</i>
52 Counties	187
200 Boroughs.....	301
3 Universities.....	5
<hr/>	
Total	493

<i>Scotland.</i>	<i>Members.</i>
32 Counties	32
22 Boroughs.....	26
4 Universities..	2
<hr/>	
Total	60

<i>Ireland.</i>	<i>Members.</i>
32 Counties	64
33 Boroughs.....	39
1 University	2
<hr/>	
Total	105

In the history of the House of Commons the places represented have varied a great deal, according to their changing size and importance. When a town loses its importance or becomes smaller, or is proved to have had bribery very extensively practised in it, it is sometimes "disfranchised," or loses its right to return a Member, or so many Members, to the House of Commons. On the other hand, if a town increases in importance, or grows into importance for the first time, it is allowed to return more Members,

or one Member at least (if it returned none before). This, with other changes in the representation, is effected by a "Reform Act," or law enacted for the purpose. The chief Acts of this kind were passed in the years 1832 and 1867. Sometimes a *County* is allowed to return more Members or fewer than it did before, or it is broken up into two or three or more different constituencies, each returning two or three Members. This choice of the places and their size, and the number of the representatives to be chosen, is always a matter of great difficulty and importance, and when a change is contemplated (which does not often take place) it gives rise to great discussion. The larger towns sometimes return three or four Members; and London is divided into several constituencies, each represented by two or more Members.

It thus comes about that every member of the House of Commons is closely connected with a *body of persons* living in, or having property in, or (as with the Universities) related to, some definite *place*. It is generally believed that County constituencies are less favourable to political improvements than Borough constituencies; and this might be expected, as the dwellers in the larger towns are generally better educated, more closely connected together, and more active-minded than the residents in the country. The opposite tastes and opinions of the Members representing *Town* and *Country* constituencies in the House of Commons give rise to much of the difference of opinion there, and to the great "party" struggles in the debates which decide who shall be the Cabinet Ministers and conduct the Executive Government in the name of the Crown.

2.—*Qualification of Electors.*

The question of who shall be entitled to vote for Members of Parliament is a matter of the utmost importance, and has been settled by several acts of Parliament, the most important modern ones being the Reform Acts of 1832 and 1867.

Generally, the qualifications are being a male of 21 years of age, and either having property in land or buildings of a certain amount, with living in a certain settled residence for at least 12 months previous to being registered as a voter.

More particularly, the qualifications as settled by the last Act (1867) are:

I. For voting in *Boroughs*.

1. Occupying a dwelling-house within the borough as owner or tenant for 12 months, and having paid rates for the relief of the poor for that time.
2. Occupying "lodgings" or part of a dwelling-house in the borough for 12 months, their value, if let unfurnished, being £10 per annum or upwards.

II. For voting in *Counties*.

1. Owning land or buildings for life or for the life of some one else, and occupying it, if worth 40 shillings a year and "freehold."
2. Owning land or buildings not a freehold,—that is, owning for some fixed time or under some fixed conditions (as tenant under a long lease for instance), if the land be of the clear yearly value of not less than *five pounds*.
3. Occupying for 12 months lands or tenements of the value (at least) of £12 yearly or upwards, and paying all poor rates for the preceding 12 months.

III. For voting in *Universities*.

Being a member of the Senate,—that is, having passed certain examinations and having had a certain "Degree" or honorary distinction conferred.

There are two movements in the country for a change in the qualification of electors of the House of Commons:—(1) the one having for its purpose to enable all *men* to vote (whatever property they have) if of the proper age and not otherwise incompetent; (2) the other having for its purpose to enable *women* to vote on the same principles as men vote, and with the same qualification.

As to the first suggestion, it is said that every one who pays taxes and is affected by the law ought to have a voice in fixing the taxes to be imposed and in making the law. To this it is answered that the present system, which includes all occupiers and all the better class of lodgers, includes all the persons who are likely to be educated enough to know the meaning of a vote and to use it independently and honestly. When education is more universal it may become safe to lower the franchise still more, and not require even so high a qualification as even a £10 lodging implies.

The argument in favour of allowing *women* to vote is still stronger than that in favour of lowering the franchise for men. This movement is the more important as a Bill for the purpose of extending the suffrage to women is brought in every year into the House of Commons, and two years ago passed its second reading. There is a strong body or "association" of people in favour of the movement, though there is in some quarters a great dislike to it.

The arguments in favour of it are :—

1. That, under the existing law, *women* vote in all municipal elections on the same basis as men.
2. That many women own land and houses and all other things in exactly the same way as men do.
3. That women pay exactly the same *taxes* estimated on their property as men do.
4. That women are affected by the law in the same way as men are.
5. That women's interests are injuriously affected in Parliament through women not influencing the elections.
6. That ordinary women are in all respects as much qualified in their minds as ordinary men, as is shown by a woman being Queen of England.

8.—*Mode of Election.*

Two questions arise under this head ; first, as to the value of each vote ; and, secondly, as to the way in which the votes are given.

1. As to the value of each vote.

The almost universal rule in elections is that each elector has as many votes as there are Members to be elected for his constituency, but an elector need not use more than one of his votes, and must not give more than one vote to one candidate.

A great complaint has been made in some quarters, both in England and in other European Countries, against this system, as it is said that the result is that the numerical majority of votes must in all cases decide the election ; and therefore if a different number of people vote in different constituencies it may happen that a minority in one place is greater than a majority in another, and, any way, two minorities in different places are likely to be

greater than one majority,—whereas, under the existing system, neither of the minorities will be represented at all. Thus, too, it may happen that a large proportion of the Members of the House of Commons are of the same way of thinking, while all the minorities in the country, representing (it may be) nearly half the nation, are not represented at all.

To meet this evil several remedies have been proposed, and one is now being actually tried in two or three constituencies and in the elections to membership of what is called “School Boards,” or Local Committees instituted for purposes of national education under an Act of Parliament.

The method adopted in those exceptional constituencies, in each of which three or four Members have to be elected, is to allow each elector to vote for all the candidates but one. In this way, if any one candidate have a fair number of supporters who vote for him and for no one else, even though they do not compose a majority of the voters, he is pretty sure to be elected.

The method adopted in the elections to School Boards is to allow each elector to give all his votes to any one of the candidates, or some to one and some to another.

Say that 5,000 votes are necessary for a candidate to be elected.

The elector then prepares his voting card, putting *first* the candidate he most wishes to have elected, and *second* the candidate he wishes to have elected if either the first-named candidate obtains 5,000 votes before the present vote is counted, or with the present vote would not obtain the necessary 5,000. So, again the elector might mention a *third* and fourth candidate.

Other methods have been suggested, but not yet attempted in this country, though a Bill is before Parliament for the introduction of one of them.

These methods are as follow :—

1. To fix a definite number of votes as sufficient to make a candidate elected, and to allow an elector to mention several names of candidates in his voting paper, to each of which in turn his vote is to be made over in case the one first named has already obtained the votes sufficient for his election. The lists of candidates may either be fixed by political parties freely

formed, or they may be left to the choice of the individual electors.

2. To fix the number of votes as before, but to leave to each candidate to transfer the surplus votes given to himself in any way he pleases.
3. To fix the number of votes as before, or not to fix them, and to allow each elector only to give one vote and no more. Thus only an extremely popular candidate can be sure of being elected, as all the surplus votes given to him will be wasted, but the least popular candidates will have a better chance.

The objection to this, as to the School Board system, is the waste of so many votes.

Suppose there are three places, that is three Members to be chosen, and (say) five candidates. Suppose there are 1,000 electors; and suppose 900 of the electors think one way, or belong to one party, and 100 to another party. If the 900 electors all vote for their favourite candidate, he will be elected, and the two other Members will be chosen out of the remaining candidates, by the 100 remaining electors.

4.—*As to How the Votes are Taken.*

Up to a very recent date all votes have been given publicly, in such a way that every one can know who voted for each candidate. The practice has been as follows:—Either the case is that of a "General Election," that is when the Parliament has been dissolved, or has come to an end after the lapse of seven years, when elections have to be made for every constituency in England, Wales, Scotland, and Ireland; or else a vacancy occurs during the sitting of Parliament, owing to the death or retirement of some Member. In both cases "writs" (or official documents giving the proper authority) are issued to an officer, called the Returning Officer, of each constituency. It is his duty to give notice of the time and place of holding the election. Between the time of the vacancy occurring and the day of the election candidates usually come forward, and, with their friends, go about the constituencies making speeches and declaring their political opinions. The different political "parties" (or groups of persons holding the

same opinions) usually support different candidates, and do their best to promote their election. On the day named by the Returning Officer, he calls on the electors to propose the candidates. Each candidate is then proposed by one elector and "seconded" or supported by another. The candidates then make a speech, or address the persons present, and if there are no more candidates than Members to be chosen (which very rarely happens) the candidates are declared to be elected. If there are more candidates than Members to be chosen, the persons present are requested to hold up their hands in favour of each candidate successively, according as they support him or not; and the candidate who seems to have the largest number of hands held up for him is declared elected, unless a "Poll" is instantly demanded, that is, unless it be demanded that at a future day all persons entitled to vote formally declare to the proper officer what candidate they choose, and have a note in writing made of their selection. It is obvious that, as the persons attending at what is called the "Nomination" are not necessarily all qualified to vote, and as the whole scene is likely to be confused and irregular, the election by mere "show of hands" is not likely to be satisfactory. Thus, in practice, a poll was always demanded.

The day of polling was very shortly after the day of nomination, and the poll was generally conducted at a number of places within the electoral district, on one and the same day. A list of voters, called the "register," had been previously prepared, and each voter, as he presented himself, was asked whether he was the person named on the register? whether he had voted before at that election? and for which candidate or candidates he voted? The vote was then entered by a clerk in a polling-book. The votes were afterwards added up, and as soon as possible (generally the next day but one or the next day) the result was declared.

An Act has been passed in the present Session of Parliament introducing a very important change in the mode of taking the votes on a poll. The main purpose of it is to introduce *secret* in place of *open* voting. Some such measure has long been desired, in order to prevent the improper influence of persons interested in the election over the poorer or more dependent electors. Sometimes landlords have turned their tenants out of their farms.

customers have left off dealing with tradesmen; candidates and their friends have given money, solely because of the way votes have been given, or in order to procure their being given, in a certain way. Also great noise and disturbance has often occurred at the time of elections, and on all these grounds,—that is, to prevent persons procuring votes for themselves either by *threats* or by *rewards*, and also to secure quiet at the time of election, the recent Act, called the “Ballot Act,” after encountering considerable opposition in both Houses of Parliament, was finally passed by the House of Commons.

The principle of the Act is that no one shall be obliged to make known to others how he votes. This is effected by each voter at the time and place of taking the votes, being furnished with a printed list of all the candidates on a card. The voter is then requested to strike out the names of all the candidates for whom he does *not* vote, leaving in the names of the candidates for whom he wishes to vote. If the voter leaves more names of candidates in than there are members to be elected, the card is good for nothing. The voter then takes the card to a box, called the Ballot Box, in the same, or an adjoining apartment, and, in the presence of an officer, drops the card into the box. As no name besides those of the candidates appears on the card, it is not possible to know who dropped in the several cards. When the polling is over, the cards are examined, and the candidates who have most votes are declared elected. Precautions are taken to prevent voters making known how they have voted after striking through the names and before dropping the cards into the ballot box. Provisions are also made for enabling persons who, from some infirmity, are not able to see to read, or to strike through the names on the card, having the names of candidates they do not vote for struck through by a responsible officer.

This method has been long practised in the Australian colonies, and is said to be very successful, though it is of the utmost importance to make it really *secret*.

The offence of *Bribery*, or of offering rewards or administering threats in order to procure a vote, is punished in various ways, as,—

- (1.) To receive bribes or rewards for voting in a particular way

is a crime, punishable by fine and imprisonment, both in the giver and in the receiver.

(2.) If bribery is proved to have taken place at an election with the knowledge of a candidate or his agents, the election is declared void, and either the candidate with the next largest number of votes is declared elected, or, if the whole election shall be proved to have been affected by a very wide-spread practice of bribery, it will have to take place over again. If it is proved that bribery is a persistent and deeply-rooted practice, the constituency may be "disfranchised," that is, may lose its right to return any member in the future. This would be effected by an Act of Parliament, but has very rarely been put into practice.

The investigation into the alleged wrongful returns on the ground of bribery was, up to a few years ago, conducted by a Special Committee of the House of Commons. Now it is conducted by one of the Judges of the Superior Courts of Law, who goes down to the district where the election was held, and holds a Court of Justice there, in which the proceedings are almost exactly the same as on the investigation of an ordinary crime. A single bribe or threat, if given with the knowledge of the candidate or his agent, is sufficient to *invalidate* the election of that candidate.

5.—*Qualifications of Members.*

All persons (with the exceptions below mentioned) being natural born Englishmen, and twenty-one years of age, may be elected to sit in the House of Commons. It is now of no consequence what property they have, nor to what constituency they themselves belong. The following persons only are excepted and cannot sit :

1. *English and Scotch Peers.*
2. *English, Scotch, and Irish Judges* (with the exception of one English Judge, the "Master of the Rolls.")
3. The "*Clergy*," or Ministers of the Established Church.
4. The *holders of various offices*, specially excluded by Statute.
5. *Government Contractors*, that is persons who have engaged with a Government Department to do any

work or carry out any undertaking till the contract is completed.

6. *Bankrupts*, that is persons who are unable to pay their debts, and are declared by a proper Court of Justice to be such, all their property being distributed fairly among their creditors.
7. *Felons*, or persons convicted of the heavier classes of crimes.

THE INTERNAL REGULATIONS OF THE HOUSE OF COMMONS.

These regulations concern :—

1. The Privileges of Members of the House.
2. The power of the House over its own members and other persons.
3. The general Business of the House.
4. The Passing of a Bill.

1.—*The Privileges of Members of the House.*

No Member of the House is liable to a "civil action," that is, to be brought before a Court of Justice, with a view to making compensation for any words he may utter in the House, however offensive or injurious to the feelings of anybody outside the House. Nevertheless, a Member may be liable to punishment by imprisonment, or even by expulsion, *by the House itself*, for improper language.

Generally speaking, no Member of the House can be detained by the *civil* process of any Court of Justice, that is he cannot be arrested, imprisoned, or obliged to serve on a *jury* (that is, he cannot be one of the twelve men chosen from the people to try certain causes). For a long time it was held that a Member could not even be detained in order to be a *witness* in a trial, but this is not the case now. These privileges extend for some time (some say forty days) before the commencement of a session and after the close of a session, and for a convenient time "necessary for returning home" after a dissolution. These rules do not extend to protect Members against a *criminal* process.

2.—*Powers of the House of Commons over its Members and other persons.*

The House of Commons has long exercised what is called the "power of commitment," that is the power of sending persons to prison for certain offences against its own dignity, whether the persons committing the offence are Members of the House or other persons. Such offences are :—

(1.) Disobedience to orders or rules of the House, whether general or special, such as by publishing evidence produced before a Committee of the House before it has been reported to the House; by neglecting rules for preventing the forging signatures to petitions; by not attending before the House or Committees when properly summoned; by not producing papers or records called for.

(2.) Indignities offered by libellous reflections, that is, by writing and publishing matters tending to bring the House into disrepute.

(3.) Interference with, or libellous reflections upon individual members of the House—as by arresting, obstructing, threatening, or making accusations against members; by interfering with officers of the House while in the execution of their duty; by bribing members, or receiving bribes as members; by tampering with witnesses, that is, trying to make them give evidence of a special kind before the House.

For the purpose of sending persons to prison the House employs an officer called the "Sergeant-at-Arms." He is appointed by the Crown.

The other chief officers of the House of Commons are—

(1.) The *Speaker* or President of the House. He is chosen out of the members by the House itself, and the appointment is confirmed by the Crown. He determines all points of order, that is, he decides whether a rule of the House, with respect to its own proceedings, exists or not, and whether it is being observed or not, by any particular member in the course of a debate. When two or more members wish to speak at the same moment, he decides which of them shall be heard first. If the votes are equal in any case he gives the casting vote, that is, decides which side shall prevail, but otherwise does not vote.

The Speaker of the House of Commons is in every sense a most important and dignified officer. When he retires from office

(which he generally holds from Parliament to Parliament as long as he pleases) he is usually created a *Peer*.

(2.) The *Clerk of the House*, who signs all orders of the House, reads whatever has to be read to the House, makes entries or records of all that is done in the House, and has the custody of all records or documents.

(3.) The Clerk Assistant.

(4.) The Second Clerk Assistant.

These Clerks sit at the table of the House and make short entries of the proceedings of the House, which are printed and distributed to the members every day. From these the "Journal" is afterwards prepared, in which the entries are made at greater length.

8.—*The General Business of the House.*

The mode in which the business of the House of Commons is conducted is by individual Members making what is called a *motion*, that is proposing a *question* to the House upon which discussion may or may not take place, and the Members of the House are asked by the Speaker whether they say *Aye* or *No* to the question. If more Members say *Aye* than say *No*, the motion is said to be agreed to or carried. If more say *No* than say *Aye*, it is said to be negatived or lost. If the votes are equal, the Speaker's vote decides.

Every Motion when agreed to takes the form either of an *order* or *resolution* of the House. By an order, the House directs some of its Members, or its officers, to do or not to do certain acts; by a *resolution*, the House merely declares its own opinions and purposes.

A Member intending to make a motion must state the form of it on a previous day, and have it entered in a book, called the "Order Book," or "Notice Paper," thus:—

"July 18th.

"*Mr. Gladstone* to move: 'That a Select Committee be appointed to consider the existing regulations for local taxation, and to report to the House what changes may conveniently be made in these regulations.'"

"*Mr. Disraeli* to move: 'That all papers relative to the Geneva Arbitration be produced, and laid upon the table of the House.'"

Notices cannot be generally given for more than a *month* in advance.

At present, *Mondays*, *Thursdays*, and *Fridays* are set apart for matters agreed to be considered by the House on the motion of a Member of the Government, called "Government Orders."

Wednesday is set apart for the *Orders* of private Members, that is, for matters agreed to be considered by the House on the motion of a Member *not* connected with the Government.

Tuesday is generally set apart for notices of motion.

Notice of Motion.—How Made.

When a Member desires to give notice of a motion he first fixes on the most convenient day, having reference to the printed notices and orders of the day. At the meeting of the House, he enters his name upon the notice-paper which is placed upon the table. Each name upon this paper is numbered; and at half-past four the clerk having put the numbers into a glass, draws them out, one by one. As each number is drawn the name of the Member to which it is attached in the notice-paper is called by the Speaker. Each Member, in his turn, then rises and reads the notice he is desirous of giving, and afterwards takes it to the table, with the day named, to the Clerk Assistant. On the day named the Member rises and makes the motion. If agreed to the House either makes an *order* or expresses a *resolution*. The *order* may have reference to a variety of matters, as for reading a Bill a first, second, or third time; for referring it to a Select Committee; for producing papers; for appointing a Select Committee to examine into facts upon which a future Bill may be required, &c. &c.

The House meets generally in the early part of February, and continues sitting (with a short vacation of about three weeks at Easter) till the second week in August. This period is called a "*Session*."

The House does not generally sit on Saturday, and never on Sunday. On Mondays, Tuesdays, Thursdays, and Fridays it sits from four o'clock till late at night, and sometimes till one or two o'clock the following morning. On Wednesdays it sits from mid-day to six o'clock in the afternoon.

Sometimes, towards the end of a session, when there is a great pressure of business, the House sits twice a day, that is, it has what is called a morning sitting, from twelve to four, as well as an evening one, commencing at six.

A Motion may have reference to a variety of matters besides the passing a Bill (that is the enacting of a law), as, for instance, a member may move for papers, accounts, statistics—that is, he may propose that the House make an order that certain papers be produced, documents printed, statistics of numerical estimates procured, and the like. Or again, a Motion may be made for the sole purpose of a Committee of Members of the House being nominated to investigate certain facts which are disputed or which are unknown, or upon which it is difficult to get information without examining witnesses. Or again, a Motion may be made in the course of a debate for “adjournment” of the House—that is, for proceeding to no further business that day; or for introducing a clause in the matter to be voted upon by what is called “amendment.” This will be spoken of further on in speaking of the passing of a Bill.

One important part of the general business of the House is merely asking questions of members of the Government or other Members, as to their intentions to bring forward certain measures, or to proceed with certain business. Notice is given of these questions in the Notice Paper, and sometimes by the Member from his place in the House.

The Passing of a Bill.

The most important part of the business of the House of Commons is that of “Passing *Bills*.” The whole proceeding of passing a Bill is as follows :—

The first step is for the Member who proposes to introduce a Bill on any subject to have it prepared, or, as it is called, “drafted”—that is, written out in the form he wishes the Act to bear when it is passed, and printed. A Bill must have the names of at least two Members on the back of it as approving it. A Bill can either be brought in by private Members,—that is, Members not connected with the Government, or by Members of the Government as (what is called) a “Government measure.”

The next step is a Motion "for leave to bring in the Bill." Notice of this motion must of course be given, as of all other motions, in the way above described.

If the Motion be agreed to (which is only attended with a debate when the Bill is of a very important character) the Bill is *ordered* to be brought in, which is generally done the same day. On it being brought in and delivered to the Clerk of the House, the Bill is said to have been "received by the House." A question is then put, "that this Bill be now read the *first time*." This is seldom objected to, and the short title of the Bill is read aloud by the Clerk. The Bill is then said to have been read the *first time*. It is to be noted that by "Standing Orders" of the House Bills having reference to (1) Religion, (2) Trade, (3) the Public Revenue, (4) Granting Money to the Crown, cannot be introduced without having been first considered in a *Committee of the whole House*. A Committee of the whole House is a meeting of the whole House in a rather less formal manner than usual. The Speaker leaves the chair, and some other Member occupies it, and each Member can speak as often as he pleases, instead of only once in each debate, as at other times.

When the Bill has been read a *first time*, the question is put, "That this Bill be read a second time." The second reading is, however, not taken at that time; a future day is named on which the Bill is ordered to be read a second time. When the day arrives, the Member in charge of the Bill moves that it be read a second time. This is the most important stage of the Bill, and is the stage at which Bills wholly disapproved by the House are usually thrown out. On making the motion, the Member at this time generally enters into a full description of the measure, and into a defence of it against all objections. Thereupon follows a close debate, in which each Member may speak once, and as long as he likes, the proposer having the right of reply after all the rest have done. If several Members rise at once, the Speaker chooses which shall be heard, according as one or another has first "caught his eye," as it is said. There is no rule against long speeches, but if a Member is over long or tedious, the House sometimes interrupts him by making a great noise.

After the Bill is read a second time, a very important stage

has to be passed through. This is called "committing" the Bill. It is ordered that the House resolve itself into a Committee, on some future day, for the purpose of considering the details of the Bill. When the day comes the Speaker leaves the chair, another chairman takes his place, and the Bill is gone through clause by clause, it being open to any Member to propose any alteration he thinks fit, either by omitting clauses, or putting in words, or putting in fresh clauses. When the House cannot agree upon any point a division is taken, and the majority of votes decides which side shall prevail. A "division" is always taken, either by the Members saying "Aye" or "No," according as they do or do not want a proposed change, or by their passing out of the House, and being counted as they go out, as in favour of the change if they pass through one door, or as against it if they pass through another door.

When the Committee of the whole House has finally determined on the shape a Bill shall take, it is "reported" to the House, and if amendments have been made it is *ordered* to be considered at a future day, on which day a motion is made that the Bill be read a third time, and after that a motion is made "that this Bill do pass." If this is agreed to the Bill is held to be passed by the House of Commons, and is sent up to the House of Lords to be passed in a similar way there. It will have been seen that the following are the different stages through which a Bill passes:—

1. *Motion* for leave to bring in the Bill. *Order* to bring it in.
2. *Motion* to have Bill read a *first* time. *Order* that it be read a *first* time.
3. *Motion* to have Bill read a second time. *Order* that it be read a second time.
4. *Motion* to have the Bill "committed." *Order* that it be "committed."
5. Committee on details of Bill. Report of Committee.
6. *Motion* that Bill be read a *third* time. *Motion* that it be *passed*. Passing of a Bill and sending of it to House of Lords.

When the House of Lords has considered the Bill, if it makes no changes in it, nothing remains to be done but to obtain the

Royal Assent, that is, the assent of the Monarch. It is now-a-days never refused, and is, in fact, a purely formal proceeding.

If the House of Lords makes any changes in the Bill it must go down to the House of Commons again, and the House of Commons must either accept the Lords' amendments or reject them. If it accept them the Bill is ready for the Royal Assent. If it reject them the Bill is lost unless the House of Lords can be induced to give up their amendments. In order to bring this about two practices are resorted to—one that of sending the Bill back to the Lords with the *reasons* for not accepting the amendments. This is the customary mode. The other practice (which is rare) is that of requesting a *Conference* between the two Houses, that is, a meeting of certain Members of both Houses for the purpose of ascertaining the points of difference between the Houses and bringing the Houses into harmony.

It is to be noticed that the House can never proceed with any business if it appear that there are less than forty members present. At any time, during the discussion of the Bill, a Member may endeavour to get rid of it for the session by moving "That it be read again this day six months, or three months," choosing the date so as to make it fall during the vacation. A Member may also suspend or arrest a Bill for a time by moving that the matter with which it deals be referred to a "Select Committee," that is, a small body of not more than fifteen Members sitting apart.

The attendance of Members in the House of Commons is very variable from day to day. Sometimes (that is, on very important public occasions) as many as 500 are present; at other times less than 100. Members generally attend most when business in which they themselves or their constituencies are concerned, or when great *party votes* are to be taken.

There are *Select Committees* of the House sitting every day for a variety of purposes. They examine witnesses, inspect documents, and investigate minutely all the details of a question. Upon completing the inquiry, they report to the House upon the desirableness or inexpediency of any legislation proposed.

Sometimes a difficult question, full of details, is similarly investigated by what is called a "Royal Commission"—that is, a body of men, generally including Members of the Houses of Lords and Commons specially chosen by the Government.

The service on Select Committees, which sit during the day, is some of the most arduous work of the House of Commons, as it is in addition to the attendance on the evening debate.

If a Member wishes to absent himself from town for some days for his private affairs, or from illness, he must obtain leave of the House, or he would be liable to be arrested by the Sergeant-at-Arms.

It will be understood that all Bills, with the exception of those affecting taxation, *may* be proposed first in the House of Lords, though, in fact, comparatively few are. When a Bill has been first carried in the House of Lords it is sent down to the Commons, and has to pass through all the same stages which it would have to pass if it had been originally proposed there.

One important part of the work of both Houses of Parliament is the receipt of *Petitions*. Any person in the country, and any number of persons jointly, may *petition* the House—that is, they may signify their wishes with respect to any Bill which is before the House, or about a matter upon which it is expected or feared that a Bill will be presented, and may pray the House to introduce, reject, or alter a Bill. The petitions must be introduced by a Member of the House, and must be signed by each of the persons sending them. Sometimes petitions have many thousands of names attached, and they are said to have a certain influence on the house.

POLITICAL PARTIES AND THE FORMATION OF THE GOVERNMENT.

For a long time past the members of the House of Commons have been accustomed to range themselves in large parties,—all voting together in certain cases, and each member of the party supporting every other member. The parties have had a variety of names, and have arisen in a variety of ways. The most celebrated and important parties have arisen from the fact that certain persons have been desirous of having as little change in the Constitution of the State as possible. These used to be called “Tories,” a word of uncertain origin. Other persons again have wished to introduce any changes in the State or in its Constitution, however revolutionary, which might promote the

welfare of the people. These were called at one time (and indeed are still) *Whigs*, a word also of uncertain origin. The names of the two parties are now "*Conservative*" and "*Liberal*," and their differences are far less than they used to be, though their organisation in the House of Commons is as complete as ever. There are a few persons who wish to introduce a number of changes which would alter the Constitution altogether. These are "Radicals." They are not very numerous, nor, as a body, of distinct political importance in the House of Commons. Some members profess to belong to no party, and sometimes vote on one side and sometimes on the other. These are called "Independent Members." Again, it is only some questions which are considered as party questions, and with respect to which all the members of the same party vote together, whatever be their individual opinions. All the questions proposed by the *Government* of the day are party questions, on which all the members who support the Government are expected to vote in favour of the measure, and those who belong to the opposite party to vote against it. It is from one or other of the great parties, that is, the *Liberals* or the *Conservatives*, that the Queen chooses all her Ministers for the time being. It depends upon which party has most votes in the House whether the Ministers are chosen from one party or from the other. The Ministers of the Queen, with their supporters, sit on one side of the House, that is on the right hand of the Speaker, and are called the "Government." The members of the opposite party sit on the left hand of the Speaker, that is, opposite the members of the Government, and are called the "Opposition."

When the measures of the Government have been voted against by constant majorities of Members, or when a very important Bill of the Government has been rejected, the members of the Government hold that they have lost the confidence of the House and resign their offices into the Queen's hands. Sometimes a motion of "Want of Confidence" in the Government is proposed and debated at length. If such a motion be carried, the members of the Government resign as before.

When the members of the Government resign, it is customary for the Queen to call upon some prominent member of the opposite party to "form a Government"—that is, to invite a number of

members of his party to join with him in taking the different offices vacated by the members of the "Government" going out. Sometimes it is very difficult, or takes some days, to form a Government, and perhaps it may be almost impossible to form one, owing to members not being willing to take the offices offered them. In this case, the Queen sometimes urges the members of the former Government to keep in office, and they sometimes consent to do this, and things go on for a time as before.

It is to be noted that the party struggle above described, and the defeats of the Government, go on in the House of Lords as well as in the House of Commons. There are always members of the Government in both Houses. As, however, there is far less business in the House of Lords than in the House of Commons, and as popular passion is less heated, most of the great party fights take place in the House of Commons.

The task of selecting a member who shall be asked to form a Government, on a resignation, is the most important part of the Queen's personal work at the present day, though it has long been the constitutional practice to resort first to the most prominent member of the party which is in opposition to the retiring Government. The members of the retiring Government continue to hold office till their successors are actually appointed.

The functions of the "Government" are twofold :—

(1) They take a special part in directing the *legislative* work of Parliament by preparing Bills on public matters affecting the whole community, or by joining to resist Bills introduced by members not belonging to the Government if they think the Bills not likely to be useful.

Thus some of the Bills introduced into the House are called "Government" Bills ; others are Bills of Private Members.

This is not the same distinction as that between a *Public* and a *Private* Bill. A *Private* Bill is a Bill affecting the interest of some particular person or body of persons, and not that of the whole community. A *Public* Bill is one in which the interests of the whole community are possibly affected. There is a difference in the procedure with respect to "Public" and "Private" Bills, the House taking especial care in the case of *Private* Bills to ascertain by a judicial process that no person's interest is injuriously affected without full consideration.

(2.) The other function of the Government is purely *Executive*. Every member of the Government is the head of a department of the public service, and as such has definite work to do during the day. Furthermore, he has to suggest to the other members of the Government the legislation needed in the matters belonging to his department, and with their consent to prepare Bills and to introduce into the House of Commons. He has, again, to be ready to answer any questions put to him by any Member of the House, and of which proper notice shall have been previously given, relative to the business of his department.

An important part of the work of a member of the Government is receiving *Deputations* at his office,—that is, receiving a number of persons who have some grievance to complain of, or some request with respect to legislation to prefer, in the matters relating to the office. In such a case a few of the persons attending make speeches in turn, explaining what they complain of or want, and the minister replies, either saying he agrees or disagrees or partially agrees, with the speakers, and possibly saying what he will do in the future.

Members of Parliament generally accompany and take part in the Deputations.

The formal meetings of all the members of the Government are called "Cabinet Councils." They take place at irregular intervals, according to the pressure of business.

It is at these Councils that all the joint acts and general policy of the Government are debated and resolved upon. It is here that the form of the *Queen's Speech* is agreed upon and settled. This speech is read, generally by the Queen herself, to the Houses of Lords and Commons, at the opening of the session. In it the general course of business which the government intend to follow during the session is sketched out.

THE MEMBERS OF THE CABINET AND OTHER CHIEF OFFICERS OF THE EXECUTIVE GOVERNMENT.

Every Cabinet includes the following officers:—

1. The First Lord of the Treasury.
2. The Lord Chancellor.
3. The Lord President of the Council.

4. The Lord Privy Seal.
5. The Chancellor of the Exchequer.
6. The Secretary of State for Home Affairs.
7. The Secretary of State for Foreign Affairs.
8. The Secretary of State for the Colonies.
9. The Secretary of State for India.
10. The Secretary of State for War.

A number of other officers of the Government usually have seats in the Cabinet, those most frequently admitted being :—

1. The Chief Commissioner of Works and Buildings.
2. The Chancellor of the Duchy of Lancaster.
3. The First Lord of the Admiralty.
4. The President of the Board of Trade.
5. The Vice-President of the Privy Council.
6. The Postmaster-General.
7. The Chief-Secretary for Ireland.
8. The President of the Local Government Board (until lately called the *Poor Law Board*.)

Taking each of the members of the Cabinet in order, so as to explain their functions, we have :—

1.—*The First Lord of the Treasury.*

This office is now invariably held by the head of the Government or Prime Minister. The holder of it receives £5,000 a-year. He selects the other members of the Cabinet in the way before explained. He dispenses nearly all the patronage of the Government—that is, he chooses nearly all the persons who shall hold offices of all sorts under Government, subject to such rules as may be made from time to time with respect to obtaining appointments through competitive examination. The Prime Minister is held generally responsible for all the acts of his Cabinet. If he finds he cannot agree with members of his Cabinet, either he and they must resign together or the members disagreeing with him must withdraw from the Cabinet.

The office of the Treasury, over which the First Lord presides, is administered by the following persons :—

1. First Lord.
2. Chancellor of the Exchequer.

3. } Two Lords Commissioners with £2,000 a-year each, and
4. } one Lord Commissioner without a salary.
5. }

The work of the office is the receipt and payment of public money. Thus all public taxes are paid in to the account of the "Exchequer," which is, in fact, though not in name, a department of the Treasury, the Chancellor of the Exchequer being one of the Treasury Board. The supplies for the Army, Navy, and Civil Service are issued under the authority of the Treasury. All the expenses of carrying out the Law, and prosecuting criminals, are examined by the Treasury. The Treasury has general control over all other departments of the public service in which public money is collected or spent—as the Board of Customs, Inland Revenue, and the Post-office.

The Treasury Board now seldom meet, and the work of examining expenses and paying salaries is discharged either by the Junior Lords or by the Secretaries.

2.—*The Lord Chancellor.*

This functionary is the head of the Legal and Judicial Department of the Government. He nominates for appointment by the Treasury all the judges both in the superior and inferior courts in the country. He consults with the other members of the Cabinet with respect to Bills to be introduced into the House of Lords for making important and comprehensive changes in the law.

He is a very ancient and highly dignified officer, though his functions in the Government are now very few and insignificant. He is the Chief Judge in one of the Courts of Justice, and besides the patronage he dispenses, there is in the present day little else of importance attaching to him.

3.—*The Lord President of the Council.*

This is in the present day an almost honorary office, that is, there is little work of necessity attaching to it. The Council is the "Privy Council," at one time an important body of the Sovereign's advisers, but now obsolete except in name. The members of the Privy Council are very numerous, every member of the Cabinet being a Privy Councillor, and continuing such for

life. There are certain small committees of select bodies of Privy Councillors which are of considerable importance. Such are :—

(1.) The *Judicial Committee* of the Privy Council, consisting of about seven or eight members, who form a Court of Appeal for cases decided in the Colonies and India, and for a certain class of cases decided in this country.

(2.) The *Committee for Education*, the purpose of which is to ascertain the condition upon which State help shall be given for the Education of the poor, and to regulate the working of certain Acts of Parliament with reference to National Education.

(3.) *The Board of Trade*.—The Board of Trade is strictly a Committee of the Privy Council. Its chief officers are :—

1. A President, salary £2,000.
2. A Permanent Secretary, salary £1,500.
3. A Parliamentary Secretary, salary £1,900.

Its functions are very miscellaneous. It is consulted when any work is to be undertaken by Government in which the general interests of Trade are concerned. The following matters are especially laid before it,

1. Negotiation of Commercial Treaties.
2. Alterations in the Excise Laws ; that is, the laws affecting inland taxation, as assessed on certain things, as on sale of spirits, malt, beer, tea, tobacco, &c., &c.
3. Bills relating to Railways, canals, docks, harbours. The Board reports upon them.
4. Statistics respecting the extent of commerce, manufactures, and produce.
5. The supervision of the construction and working of Railways.
6. Regulation of the examination of masters and mates of foreign-going vessels, and the registration of seamen.

4.—*The Lord Privy Seal.*

The *Lord Privy Seal* is the keeper of one of the *Seals* of the Crown, used to give authority to certain classes of documents. It was at one time used especially to give authority to certain modes of taxing the people, when the Sovereign attempted to tax the people without authority of Parliament. The other seals are (1)

the Great Seal, (2) the "Signet," or seal used for the King's or Queen's private letters. The office is now almost wholly an honorary one.

5.—*The Chancellor of the Exchequer.*

This minister is chief of the department called the *Exchequer*, that is, the department concerned with collecting the taxes. The Chief business of the Chancellor of the Exchequer is preparing for the House of Commons a statement of the contemplated expenses of the year, and devising a scheme of taxation. This statement is produced some time in April, and is called "the Budget." The Chancellor of the Exchequer usually introduces some changes in the taxes from year to year, according to the amount of the last year's or the coming year's expenses, and the amount derived from a particular tax in the last year.*

6.—*The Secretary of State for the Home Department.*

This official has the following departments under his special control:—

1. *The Police.*
2. *The General Administration of Justice*; whereby if any prisoner has been wrongfully convicted, it is always in the power of the Home Secretary (when the matter is brought to his notice) to recommend the Queen to relieve him from punishment, that is to "pardon" him.
3. The management of the "Signet" Office, in which the instruments for making certain grants and appointments are prepared. The Home Secretary has a quantity of multifarious work to do with respect to furnishing information to Parliament, issuing Commissions of inquiry, protecting Public Health and Public Order, and preventing Crimes. He sees that the sentences of Criminal Courts are rigidly carried out. He appoints Inspectors of Prisons, and approves of rules for their regulation.

* See, afterwards "Taxation and the Revenue."

7.—*The Secretary of State for Foreign Affairs.*

This minister conducts all the correspondence between the Government and English Ambassadors in Foreign States, sending messages through the Ambassadors to the Governments of those States. He is also the organ of communication between the Government and Foreign Ambassadors resident in this country. He expounds to the House of Commons or to the House of Lords (to whichever he belongs) the state of relations of this country with foreign States from time to time, and, if difficulties arise, explains the policy of Government with respect thereto. Similarly he answers questions of Members of Parliament with respect to foreign affairs. He grants *Passports* to British citizens travelling abroad. In the event of a war or of a Treaty being made, it is he who explains the circumstances to Parliament, and either asks for money to carry on the war, or invites the concurrence of the House in the terms of the Treaty. Nevertheless it is not Parliament itself that is said either to make war or enter into a Treaty. These are the functions of the Government, that is, the Crown, though, inasmuch as, in the case of a war, it is Parliament that grants the money, it would not be possible to go to war, or keep up a war, if Parliament did not assent.

8.—*Secretary of State for the Colonies.*

This minister conducts all the correspondence of Government with the Governors of British Colonies, which are very numerous, important, and widely scattered. He answers all questions in the House respecting Colonial matters. Where the Colonies have Legislatures, he advises the Crown as to assenting to such of their Acts as cannot become law without the Royal assent. He consults with his colleagues as to the introduction of Bills into the House of Lords or Commons affecting the Colonies, and explains the purpose of such Bills to the House to which he belongs. He appoints all the Governors of Colonies, and directs their action from time to time.

9.—*Secretary of State for India.*

This minister does very much the same in respect of *Indian* matters that the Secretary of State for the *Colonies* does in respect of them.

10.—*Secretary of State for War.*

This minister proposes and explains all Bills affecting the constitution and management of the Army. He submits to Parliament the estimates and expenses for the current year. He has the general *civil* administration of the Army, as distinguished from the military command, which belongs to the Commander-in Chief.

First Lord of the Admiralty.

This minister has much the same to do in respect of the Navy that the Secretary of War has to do in respect of the Army.

There are six Lords of the Admiralty, of which the above-named minister is the first.

The Admiralty has a variety of functions to discharge,—as that of managing and distributing prize-money (that is, the value of ships captured in war); raising and maintaining the forces employed in the Navy and Coast-guard; controlling the construction of piers and harbours; repairing and building ships, as directed by the Government; making contracts for the hire of vessels and supply of stores.

President of the Board of Trade.

The functions of this minister have already been indicated in the description of the *Board of Trade* as a department of the Privy Council.

President of the Local Government Board.

This minister recommends to Parliament all legislation for the purpose of promoting public health, convenience, or the relief of the poor by "Local Boards," elected by the ratepayers of districts throughout the country. The Central Board has to approve of the rules made by the Local Boards, and in some cases to press their formation, and generally supervise and control them.

The Local Government Board consists of a President, salary £2,000; Permanent Secretary, salary £1,500; Parliamentary Secretary, salary £1,500. This was, up to 1871, called the *Poor Law Board*.

The function of this Board is to control and stimulate the action of Local Boards instituted for the following purposes :—

1. The Relief of the Poor.
2. Promotion of Sanitary Arrangements, Removing Sewage, Providing for Cleanliness, Building Hospitals.
3. Making and Repairing Roads.
4. Making Bridges, Canals, Viaducts.
5. Lighting and Improving Streets.
6. Preventing Smoke, and other nuisances.

The *Local Government Board*, in London, has a general supervision over the Local Boards. Its special functions are as follows :—

1. To appoint Inspectors, upon whose report Local Boards may be established, even against the wishes of the majority of the ratepayers.
2. To regulate the election of Local Boards, as by fixing the number of the members.
3. To appoint certain officers in connection with the Public Health and the Relief of the Poor, as :—
 1. Medical Officers.
 2. Registrars.
 3. Surveyors.
 4. Official Overseers of the Poor!
4. To regulate Public Vaccination.
5. To provide for the building and management of Houses for the Reception of Paupers; also for the Education of Children in those houses, and for the care of the sick.*

Postmaster-General.

This minister is the head of the whole letter-carrying and telegraph service in the country. He appoints all subordinate officials. He recommends Bills to Parliament for facilitating the transmission of the post or altering the price of postage (where not left to his discretion). In his name all contracts with carriers for the conveyance of letters and packages are made.

* Note.—See, afterwards, "Local Government."

The Post-Office is a large institution for carrying letters all over the kingdom and to foreign countries. With the Post-Office are now connected:—

1. *The Telegraph.*
2. The *Money-Order* system, by which people can send money from one part of the country to the other, and to the English Colonies, by merely paying it into the Post-Office, and sending an order to their correspondent, which is presented and paid at the Post-Office nearest him.
3. A system of Savings Banks, by which small sums can be put in, and a small rate of interest is given. A system of Government Annuities is also attached to the Post-Office.

CERTAIN SPECIAL GOVERNMENT OFFICES.

Civil Service Commission.

The Civil Service Commission consists of:—

1. First Commissioner, salary £1,500.
2. Second Commissioner, salary £1,200.

Their functions are to provide for the admission and examination of candidates for employment in Government offices. It depends upon the several Government offices themselves whether they will or will not adopt the scheme of the Commissioners. In some offices the appointments are open to general competition; in others the appointments are not open to competition, though upon nomination an examination has to be passed.

The Charity Commission.

The Charity Commission consists of:—

- 1 Unpaid Commissioner.
- 1 Chief Commissioner, salary £1,500.
- 2 Commissioners, salary £1,200 each.

Their work is:—

1. Generally to supervise the management of charitable institutions, which have been endowed, that is, have had funds given and secured to them for ever.

2. To give authority to the trustees of such institutions to sell or buy land, to make leases, and generally to deal with the funds of the charity.

Such institutions are endowed poor-houses, hospitals, and certain schools.

The Mint and Coinage Department

Has for its purpose the coining of money. It is under the superintendence of the Chancellor of the Exchequer.

The National Debt Office

Is concerned with the reduction of the National Debt, that is, the paying it off. The National Debt is very large in this country, amounting to about £800,000,000. Some of it is constantly being paid off. It has arisen through being borrowed to carry on war.

The Lunacy Commission

Consists of six Commissioners, with salary of £1,500. Their work is :—

1. To inspect and licence all buildings used for the confinement of lunatics.
2. To secure lunatics in every way against abuses, either through undue detention or cruelty.
3. To provide that proper lunatic asylums, or houses for the confinement of lunatics, are built in places needing them.

Patent Office.

A *Patent* right is the right of some one to produce and sell the result of a valuable invention, without other persons being allowed to produce and sell it. It is granted for a certain number of years. The invention must be *new* and *useful*. The process has to be described in a written paper, which is kept secret under the care of the Government, and the patent is registered.

The management of this is committed to the above office, under the care of the law officers of the Crown.

Public Record Office.

This office has the care of all the public documents of the State. There are an enormous number of these, tracing back to very ancient times. They are now deposited in a great building in Fetter Lane. A number of clerks (men and women) are attached to the office, and are daily employed making catalogues of the records, and assisting persons who wish to consult portions of them in doing so.

Registrar of Friendly Societies.

By certain Acts of Parliament, persons joining together for mutual assurance against sickness, age, or death, can by complying with certain rules, become *registered*,—the effect of which is that they can be treated as corporate bodies, and bring actions at law, or hold property. The principle of these societies is that every member pays in a certain sum every week, month, or year, and if he becomes ill, or unable to work through age, he receives a large weekly or monthly payment from the common sum, or his family receives a sum on his death.

Commissioners of Woods and Forests.

These are persons who manage the Woods and Forests belonging to the Crown, that is to the State. Their function is to appoint subordinate keepers and servants, as may be needed, and to make the regulations under which the public shall be allowed to make use of the Woods and Forests. They also have to undertake all business connected with selling wood, or selling, exchanging, or purchasing land, forming or to form portions of the Crown Woods and Forests.

Customs—Inland Revenue.

The two offices to which these departments belong are concerned with the Public Revenue of the State. The "*Customs*" is that part of the Public Revenue which is derived from foreign imports of all sorts, as spirits, tea, tobacco, wine, and all foreign products which are taxed on being introduced into this country.

The *Inland Revenue* includes the part of the National Revenue which is derived from all other sources, as the income tax, excise

(that is, a tax on *home* products, as home-made spirits, malt, and certain other like things), and *Stamps* and *Duties*, that is, payments to Government on certain transactions or events, as,—(1) succeeding to landed property on the death of the last owner, (2) taking money by Will, (3) making certain transfers and contracts.*

Education, Science, and Art.

This office (1) makes grants to schools in certain cases. It also controls the South Kensington Museum, which is full of scientific and artistic specimens, and in which public lectures are given, under the control of the Government, on scientific and artistic subjects.

The offices are all independent of each other, though, for the management of some of them, certain of the individual members of the Cabinet (that is of Her Majesty's Ministers) are directly responsible. Thus the Prime Minister is the First Lord of the Treasury Board, and the Chancellor of the Exchequer is also one of the Board. The Chancellor of the Exchequer is now head of the Department of the Mint. He is also responsible, as representing the Treasury Board, for the management of the National Debt Office, the Customs, and the Inland Revenue. The Post Office is subject to the superintendence of the Postmaster General, though the monetary side of it, as an instrument of revenue, is under the control of the Treasury, as represented by the Chancellor of the Exchequer.

The Patent Office is under the general control of the Treasury, with the assistance of the Law Officers of the Crown.

Commissioners in every case sit by the force of the Royal Commission under which they are appointed, and are wholly independent of any Minister of the Crown. It is true that the Cabinet always nominate the Commissioners, in the Queen's name.

The Local Government Board in its different departments is under the control of its President, who is generally a member of the Cabinet, and wholly independent of the Home Office.

The other offices mentioned are each subject to their own

* See, afterwards, "Taxation and the Revenue."

particular chief, the several chiefs generally constituting, when taken together, the *Cabinet*. They are independent of each other, though the whole body does its utmost to act harmoniously together under the conduct of the Prime Minister or "First Lord of the Treasury."

Foreign Office.

The head of this department, the Secretary of State for Foreign Affairs, has the following functions :—

1. He nominates ambassadors and consuls.
2. He grants passports to persons travelling abroad.
3. He is chiefly responsible for negotiating Treaties.
4. He conducts correspondence with foreign Governments.
5. He is the means of communication with Ambassadors resident in this country.
6. He protects English citizens travelling abroad.
7. He communicates to Parliament the state of the relations of England and Foreign States.

Lord High Chancellor.

He is head of the judicial department of Government.

He is the Chief Judge of one class of Courts of Justice. (*See below.*)

He is a member of the Cabinet, and presides in the House of Lords.

He is one of the highest persons in rank in the kingdom.

He is appointed by the Crown, on the advice of the First Lord of the Treasury.

Law Officers of the Crown.

The Law Officers of the Crown are :—

1. The *Attorney General*.
2. The *Solicitor General*.
3. The *Queen's Advocate*.

The functions of 1 and 2 are (1) to conduct suits in which the Government is closely concerned, and to prosecute criminals in cases of great importance. They are both members of the House of Commons. They have to give their assent to the granting of a

charter, that is, on the founding of a new corporation, and on granting of a patent. The Queen's Advocate assists the Crown in certain peculiar suits (as divorce and church matters).

Courts of Justice.

The superior Courts of Justice are of two kinds, one called *Courts of Common Law*, the other *Courts of Chancery* or (sometimes) of *Equity*.

The distinction arose out of historical facts, and is a very ancient one.

Now-a-days the difference is mostly in the kind of matters brought before the several classes of courts, and in the form of the proceedings.

JUDICIAL ORGANISATION.

The Judicial machinery of the country may be divided into (1) the Judges of the *Superior* Courts; (2) the Judges of the *Inferior* Courts.

The following are the Superior Courts, with the number of Judges attached to them.

Courts of Appeal.

HOUSE OF LORDS, as a Judicial body; only those members practically take part in this work who have been Judges; thus only five or six members usually compose the court. It hears appeals from all other Civil Courts in the country, whether of law or equity, and also from Scotland and Ireland.

JUDICIAL COMMITTEE OF THE PRIVY COUNCIL.—The Judges are numerous, and three of them must be present. They consist of the Chief Justices of the Superior Courts and certain high officers of state, and a few persons expressly chosen for the purpose, having been Judges elsewhere. Appeals are heard here from the Court of Admiralty, from the Ecclesiastical or Church Courts, and from the Colonies.

COURT OF EXCHEQUER CHAMBER (Common Law).—The Judges are the judges of two of the Courts of Queen's Bench, Common Pleas, and Exchequer, appeals from any one of these courts being heard before the judges of the other two.

THE COURTS OF APPEAL IN CHANCERY.—

1. The Lord Chancellor's Court.
2. The Lord Justice's Court.
3. Another Lord Justice's Court.
4. The Lord Chancellor with one Lord Justice, or with two Lords Justices, or the two Lords Justices together.

Superior Courts at "Common Law," of original jurisdiction, that is, not of appeal.

"Common Law" differs from "Equity" (1) in being administered in Courts of Common Law and not in Chancery Courts; (2) in the matters with which the law deals; (3) in the legal principles and rules which are recognised. The distinction is a historical one, and arose in very early times out of the fact of the King's Chief Officer (or "Chancellor") interfering to correct the hardships of the ordinary or common law. There is now a tendency to do away with the distinction between the two classes of courts, and the two kinds of law, which lead to many inconveniences. The matters usually coming before Courts of *Chancery* are those in which the claims of a *number* of persons have to be considered, or in which "Trust" or "Fraud" is involved. The simpler rights of ownership and of contract, and injuries to them, usually come before Courts of *Common Law*.

The SUPERIOR COURTS OF COMMON LAW are:—

1. The Queen's Bench,—five judges.
2. The Common Pleas,—five judges.
3. The Exchequer,—five judges.
4. The Court of Probate and Divorce,—one Judge Ordinary, assisted at times by any one or more of the Judges of the Superior Courts.

The COURTS OF CHANCERY (not of Appeal) are:—

1. Lord Chancellor's Court.
2. One Vice-Chancellor's Court.
3. One Vice-Chancellor's Court.
4. One Vice-Chancellor's Court.
5. The Master of the Rolls' Court.

These are what are called the *Superior Courts*; that is those

where the more important causes,—those involving the largest sums of money, or the most difficult questions of law,—are decided. Besides the above courts concerned with what are called *civil* matters, or matters of property, contract, or certain personal wrongs, as slander and assault, there are other courts concerned purely with *criminal* matters, that is, the graver kinds of injuries to the *person* and to property, and which are attended not merely with *compensation* to the parties but with *punishment*. These Criminal Courts are also distinguished into *Superior* and *Inferior*.

The Superior *Criminal* Courts are :—

1. The "Court of Criminal Appeal," in London.
2. The Central Criminal Court, in London.
3. The Circuit Courts.

The "Court of Criminal Appeal" sits from time to time at Westminster, to hear appeals on difficult questions of *Law* from all the Criminal Courts in the country. All the Judges of the Superior Courts of Common Law are members of it. An appeal cannot be brought merely because a prisoner or a prosecutor is not satisfied with the result of a trial. It must be a strictly *legal* difficulty that is involved.

The "Central Criminal Court" is a permanent court, sitting in London once a month, for the trial of the graver classes of offences committed in or near London, or, under very special circumstances, even committed elsewhere.

Circuit Courts, or "*Courts of Assize*," are held all over the country in the chief towns, twice, or sometimes three times a year. Two Judges, from the Superior Courts of Common Law, in London, go down, attended by a number of lawyers, and hold the courts. At these times, side by side with the Criminal Court, one of the Judges sits in a *Civil* Court, for trying *civil* cases, or rather that part of them which is concerned with matters of *fact*. The part of each civil case concerned with questions of *law*, if not very simple, has to be brought before one of the Superior Courts of Common Law at Westminster, or the whole may be investigated by a Court of Chancery.

The Inferior Courts of Justice are the following :

Civil.

1. County Courts.
2. Quarter Sessions.

Criminal.

3. Quarter Sessions.
4. Petty Sessions.
5. Police Magistrates' Courts.

Inferior Civil Courts.

1. *County Courts*.—There are fifty-nine circuits of County Courts scattered all over the country. In connection with each *circuit* there are from one to sixteen different courts. The circuits are so arranged that there shall be a County Court in every large town, and that no place, however small, shall be very far from a court. There are 521 places in which courts are held. They are held generally once a month, and one judge belongs to each circuit. The causes tried are nearly all civil causes whatever, where the matter in dispute does not exceed a certain value. These courts are very much used by tradesmen for the recovery of small debts. The procedure is generally simple, and less expensive than in the Superior Courts.

2 and 3. *Quarter Sessions*.—This court is both a Civil and a Criminal Inferior Court. It is held in the chief town in each county, four times a year. The Judges are the "Magistrates," or Justices of the Peace of the County. A number of such Justices are appointed for each county by the government. They must be chosen from residents in the county owning land worth at least £100 a year. The Lord Chancellor appoints in the name of the Queen, and a person called the "Lord Lieutenant" of the County, who has very little else to do [though in former times he had important powers in the administration of the county affairs (especially in military affairs)], names the persons who seem fitted to be Justices of the Peace.

These Justices sit in two classes of Courts, those of *Quarter Sessions* and those of *Petty Sessions*. At the Court of Quarter Sessions, the presence of two Justices is sufficient, though a large number more are generally present, and all the Justices of a county have a right to be present and to take part in the proceedings. They choose a permanent chairman, who presides and acts as chief judge. The matters coming before this Court are partly *Administrative* and partly *Judicial*.

As an *Administrative* body the Court of Quarter Sessions have to apply Acts of Parliament relative to such matters as the following :—

County Gaols.

County Lunatic Asylums.

Highways.

Public Halls or Buildings, &c. Courts of Justice.

They have to regulate the expenditure of County funds, and to appoint subordinate officers of all sorts.

The *Judicial* functions of the Court of Quarter Sessions are partly *Civil* and partly *Criminal*. The *Civil* business is concerned with Appeals from Courts of *Petty Sessions* (to be presently described) and from the orders of Justices of the Peace made in certain cases in accordance with certain Statutes. The subject-matter of the Appeals is

1. Charges and rates imposed for the relief of the *Poor*.
2. Stopping or diverting *Highways*.
3. Rates imposed on particular places for general County purposes.

The *Criminal* business of the Court of Quarter Sessions is concerned with the Trial of a vast number of Crimes, those being excepted and reserved for Courts of Assize which are of the heaviest kind, or on which the points of *Law* to be discussed are peculiarly difficult. The mode of trial is the same as that in Courts of Assize.

When a person is accused of a crime he is first taken before a Justice of the Peace, or before two or more Justices sitting at what is called "*Petty Sessions*." These are held in each town, or even large village, in the County about once a week.

If the crime belongs to a class of the more trifling kind, it can be adjudicated upon at once by the Court of Petty Sessions. The punishment in these cases is seldom over "two months' imprisonment with hard labour," or a fine not very large. Even in these cases the prisoner can generally, if he prefers it, have his trial take place at Quarter Sessions instead of at Petty Sessions.

For all the crimes not capable of being tried at Petty Sessions, the prisoner has to wait to be tried at Quarter Sessions or at Assizes. In the meantime he is either kept in prison or allowed

to go home on condition of himself or his friends forfeiting a sum of money if he does not appear for trial. This is called "Bailing" the prisoner. It depends generally on the discretion of the Justice whether a prisoner shall be allowed to go out on "Bail" or be kept in prison till his trial.

At the time of trial, that is, at the next sitting of the Court of Quarter Sessions or of Assizes, the prisoner's case is laid before a number of gentlemen called the "Grand Jury." These are persons living in the county and not very poor. There must be at least twelve, but there are generally a good many more, yet they must not exceed *twenty-three*. They have to determine whether there is sufficient evidence to make it necessary to have the prisoner tried at all. If they think not, the prisoner is released. If they think there is, the real trial is proceeded with.

At the trial there is what is called a "Common Jury," composed of twelve men, who have to listen to all the evidence for and against the prisoner, and to all the speeches of the lawyers on both sides, and to the remarks of the Judge. After hearing all, they have to decide, by all agreeing with each other, whether they think the prisoner is guilty or not. If they give as their "verdict" that the prisoner is *guilty*, the Presiding Chairman or Judge pronounces the punishment which is affixed to the offence by law. This punishment is generally variable within *certain limits*, and the fixing of the amount depends on the discretion of the Judge. It is only in the case of "Murder" that the Judge is obliged to pronounce sentence of *Death by hanging*.

If the Jury give as their verdict that the prisoner is "Not guilty," the prisoner is released.

Sometimes Juries cannot agree on their verdict, though they are left together occasionally for a whole night in the hope of making them agree. If they are finally dismissed without coming to an agreement, the trial will have to take place again, probably at the next Quarter Sessions or Assizes. Many persons at the present time think it very desirable that a simple majority of the Jurymen—two-thirds of them or some other large fraction—should be sufficient to find a verdict. This is the practice in Scotland.

Every prisoner may be assisted by a Lawyer *if he can pay for it*. It is well urged that every prisoner ought to be assisted by

one, whether he can pay or not. The following is the order of the proceedings previous to the finding of the verdict:—

- (1) The lawyer for the Crown or the Prosecution makes a speech explaining the nature of the accusation and the general state of the facts.
- (2) The witnesses in support of the *prosecution* are called one by one and sworn. Each one is first asked questions by the lawyer for the prosecution, and then asked some very searching questions by the prisoner's lawyer, or (if he has no lawyer) by the prisoner himself. (Cross-examination.) The Judge may ask questions at any time.
- (3) The lawyer of the *prisoner*, or the prisoner himself, makes a speech explaining the defence and arranging the facts from the point of view of the prisoner.
- (4) The witnesses for the *prisoner* are examined and cross-examined in exactly the same way as the witnesses for the prosecution.
- (5) The lawyer of the *prisoner* makes a fresh speech, drawing what conclusions he thinks proper from the evidence, and inviting the jury to look at the whole case from the prisoner's point of view.
- (6) The lawyer for the *prosecution* does exactly the same.
- (7) The chairman or judge sums up; that is, assists the jury by recalling to their minds the evidence, shows where it is inconsistent or worthless, criticises the arguments of the lawyers, and tells the jury what is the law applicable.

Jurymen.

Jurymen are either (1) *Grand Jurymen*,
or (2) *Common Jurymen*,
or (3) *Special Jurymen*.

(1) *Grand Jurymen* must be *freeholders*—that is having an estate in land for life at least—resident in the county. They are usually taken from among the Justices of the Peace. It has already been seen that their function is to determine at Quarter

Sessions or at Assizes whether a trial of a prisoner shall take place or not.

(2) and (3) *Common Jurymen* and *Special Jurymen* must have the following qualifications :—

1. They must be between the ages of twenty-one and sixty.
2. They must have either £10 a year in land, freehold, or £20 a year leasehold, for twenty-one years or a longer term ; or a householder rated for the support of the poor, or (in Middlesex) to the "house duty" on not less than £30.

Special Jurymen are persons described as "Esquires," "Bankers," or "Merchants."

Special Jurymen are only summoned for the trial of civil cases where the pecuniary interests at stake are very large, or where the proceedings are peculiarly intricate and requiring special education and experience for understanding them.

The following persons are exempt from the duty of serving on juries :—Peers, judges, practising lawyers, jailors, clergymen of the Established Church and Catholic Church, and ministers of dissenting chapels registered, officers in the army, physicians, surgeons, officers in the customs, and members of the House of Commons attending Parliament.

Jurymen are fined if they do not attend when they are summoned.

There are many complaints now made from time to time that the same jurymen are summoned over and over again, and many persons who ought to be summoned are never summoned at all. A Bill for the remedy of this has recently been brought into the House of Commons (May, 1873).

The Habeas Corpus Act.

This Act was passed in the reign of Charles II. (1679) for the purpose of giving facilities for granting the old writ of "*Habeas Corpus*," so called from the words in which it ran, "*You may have the body*." The use of the writ was to entitle and oblige a jailor, or other person having a prisoner in custody, to surrender them into the hands of the person producing the writ, and which was obtained from a Court of Justice, that is, a Court of Chancery, the

Queen's Bench, the Exchequer, or the Common Pleas, on it being shown that there was some cause to believe a prisoner was unjustly detained in prison. The effect of the Act, with its later amendments, is to enable any prisoner who thinks he is unjustly detained, either by a jailor or even by anyone else, to have his case judicially investigated, in order to see whether he ought to be in prison or not. The judge, on the application of the person detained, grants the writ, which commands the persons detaining the prisoner to bring him up before some judge, to have the cause of his imprisonment investigated. When the prisoner is brought up, the persons detaining him allege (generally with the help of lawyers) the reasons for detaining him,—as, for instance, that he was sentenced to be imprisoned by a competent Court of Justice, or that he is being detained waiting for a trial under the Warrant of Committal of a Justice of the Peace. If this is proved to be the case, the prisoner is sent back to prison. If it is proved not to be the case, or if the prisoner can show any other reason why he should not be detained in prison, he is immediately set free.

The operation of the Habeas Corpus Act was to threaten heavy penalties on judges not granting the writ on the demand of a prisoner. In such a case a judge is liable to be fined £500. The Act also threatens with a fine of £100 and (on a second offence) £200 any officer not delivering up prisoners in accordance with the terms of the writ, or not giving to the prisoner or his agent, within six hours after demand, a copy of the warrant of commitment.

If the prisoner is committed for treason or felony, as expressed in the warrant, the judge need not grant the writ.

Sometimes in times of great civic disorder (as not long ago in Ireland) the action of the Habeas Corpus Act is *suspended*; that is, persons are allowed to remain in prison for an indefinite time on mere suspicion, without the question of their guilt or the reason of their confinement being investigated.

This suspension of the Habeas Corpus Act is very rarely resorted to, and is in the highest degree unpopular, inasmuch as it puts any person in the country at the mercy of the police and the Government.

4.—*Petty Sessions.*

A "Petty Sessions" is a meeting of two or more Justices of the Peace for the execution of some power vested in them by law. It is thus a "Court of Justice," and generally meets once a week in all the towns or even large villages of every county. One of the Justices present acts as chairman, and conducts the proceedings, consulting the other Justices, and being assisted by a "Clerk of the Sessions." There is no jury. The work done at Petty Sessions is of a great variety of kinds, being partly *Judicial* and partly *Administrative*.

The *Judicial* work is two-fold, being concerned with (1) *Summary Convictions*; that is, investigating and finally deciding trifling offences, the penalty seldom being more than two months imprisonment with hard labour, or a fine of £20. (2) *Committals for Trial* at Quarter Sessions or at the Assizes in the case of all other offences than those which are matter of "Summary Conviction."

In both classes of cases the proceedings commence alike. They are as follows:—The accused person is first *summoned to appear* on the charge of some person injured, or of a policeman, the *summons* being obtained from a Justice and served on the accused person. The information upon which the summons is granted need not (generally) be upon oath.

If the prisoner do not appear in obedience to the "summons," and oath is made that the "summons" was duly served, the Justice issues a "Warrant" for the apprehension of the accused. This "warrant" empowers any policeman using it to seize and detain the *person* of whosoever is named in it. If the warrant is executed in another county than that in which it is granted, it must be "backed"—that is be signed at the back by a Justice of that county. The "warrant" entitles the policeman using it to break open doors in case of necessity. [If it is necessary to search houses for stolen goods, a special warrant for the purpose called a "Search Warrant," specifying the place and particulars, must be obtained.] In some cases, as, if a crime has just been committed and a policeman strongly suspects a person of having committed it, he may seize him at once and get a "warrant" afterwards for his confinement till he can be brought before the Petty Sessions

or (as in London) the Police-Magistrate, who, in his proper court, exercises all the powers of Justices of Petty Sessions.

When the prisoner appears either in obedience to the summons or on a warrant for his apprehension and detention, his accusers (the policemen or others) are put upon their oath, and after giving their account of the facts the prisoner or his lawyer is invited to "cross-examine" them; that is, to ask them any fresh questions they choose in order to show the untruth of the story or generally to impair their credit. The prisoner's witnesses are examined and cross-examined in exactly the same way. The prisoner is thereupon asked whether he would like to say anything. He is, however, carefully warned that anything he says may "hereafter be used against him." Sometimes the prisoner "reserves his defence," that is says nothing, but waits for his Trial to defend himself.

Every word both of the witnesses and of the prisoner (if he makes a statement) is carefully taken down in writing and read over to the speakers. The whole papers together are called the "Depositions." These are sometimes read in full at the final Trial.

If the Justices are of opinion that there is not sufficient evidence to convict the prisoner, they can either dismiss the prisoner or adjourn the case till their next meeting, in order to obtain further evidence. This is called "remanding" the prisoner. He can either be sent to prison in the meantime, to prevent his escaping, or, at the discretion of the Justices, be let loose on *bail*, that is, on his friends and himself engaging to pay large sums of money if he do not appear the next time.

If the Justices are of opinion that there is sufficient evidence for "summary conviction," or "committal for trial," they will proceed, in the one case to assign the penalty, and in the other case to sign a "Warrant of Committal"—that is, a warrant empowering the proper officers to remove the prisoner to prison in order to await his Trial at *Quarter Sessions*, the *Assizes*, or the *Central Criminal Court*. A person may here again be let out on "bail."

The *Administrative* functions of the Court of Petty Sessions—then called *Special Sessions*, as all Justices in the district must be specially summoned—are very numerous, and are concerned with carrying out Acts of Parliament, such as the Poor Laws, the laws for licensing public houses and theatres, also with hearing appeals

against rates, granting game licenses—that is, licenses to shoot certain sorts of birds at certain seasons of the year.

[Distinguish between *Petty Sessions*, *Special Sessions*, *General Sessions*, and *Quarter Sessions*.]

Petty Sessions.—Two or more Justices sitting at short regular intervals, in a particular district, for trying small offences, and executing other tasks for which the presence of more than one Justice is needed.

Special Sessions.—Two or more Justices sitting from time to time after special notice of the meeting has been given to all the Justices of the *district*, for the purpose of executing tasks imposed upon them by Act of Parliament (as granting licenses to shoot certain birds, to open a theatre, to keep a public-house, &c).

Quarter Sessions.—See above.

General Sessions.—Similar to Quarter Sessions in all respects except as a Court of Justice. It is a meeting of all the Justices for a *county*, on notice being given to each, and is held as often as the business of the county seems to require it.

The following is a list of the Judicial Officers :—

Chancery.

1. Lord Chancellor.
2. Master of the Rolls.
3. }
4. } Three Vice-Chancellors.
5. }
6. }
7. } Two Lords Justices.

Common Law.

1. } Lord Chief Justice of England.
2. }
3. } Judges of the Courts of Queen's Bench.
4. }
5. }
6. } Lord Chief Justice.
7. }
8. } Judges of the Courts of Common Pleas.
9. }
10. }

- | | | |
|-----|---|-----------------------------------|
| 11. | } | Lord Chief Justice. |
| 12. | | |
| 13. | | Judges of the Court of Exchequer. |
| 14. | | |
| 15. | } | |
| 16. | | Divorce and Probate. |
| 17. | | Admiralty and Ecclesiastical. |
| 18. | } | |
| 19. | | Election Judges. |
| | | County Court Judges. |
| | | Recorders of Boroughs. |
| | | Police Magistrates. |
| | | Justices of the Peace. |

The Punishment and Reformation of Criminals.

A very important topic of government is the policy with respect to the Punishment and Reformation of Criminals. The only punishments known to the English Law are

1. Death by Hanging.
2. Penal Servitude.
3. Imprisonment with hard labour.
4. Flogging.
5. Imprisonment without hard labour.
6. Reformatory or Industrial Schools for juvenile offenders.
7. Fine.

Death is only inflicted as a punishment for "killing with malice aforethought," that is "murder." It is only inflicted in about half-a-dozen cases each year. The execution is private, and takes place within the walls of the prison where the convict was last confined, in about three weeks after the trial and sentence.

Penal Servitude implies imprisonment with hard labour in certain government prisons. The work is hard, though adapted to the capacities and health of the convict. It must be at least for a period of five years, and may be for life. The length of the term is generally determined by the Judge who tries the prisoner, and depends on the character and frequency of the offence, or the previous habits of the criminal. Sometimes good behaviour during the term of servitude may lead to a slight shortening of it.

In this case the prisoner obtains what is called "a ticket of leave." He is allowed to go abroad, but must report himself to the police at regular intervals. If he omit to do so his "ticket of leave" is cancelled, and he will be sent back to prison again as soon as apprehended. A term of imprisonment with hard labour can only be for two years. It takes place in a county or borough gaol, and not in a "government prison." The labour may be of different sorts, and sometimes is wholly unprofitable, as in the case of the treadmill, unless something is ground by it. The "silent and solitary" systems are only used as occasional punishment for misbehaviour or insubordination in gaol, and to a very limited extent, it being believed to be hurtful to the health or reason of prisoners.

"Flogging" is only at present inflicted for brutal attacks on the person, in certain particular ways. It is proposed to extend it to attacks of all sorts upon women or children, but this is opposed in some quarters, on the ground that it is a cruel punishment resembling torture; that cruel punishments never diminish crimes, because they infuriate and brutalise the class who perpetrate them; and that it is desirable rather to pacify and tame than to excite the brutal feelings in society, which give rise to crimes against the *person*.

The whole subject of the reformation and punishment is one of great interest both in this country and in America. Within the last few years great efforts have been made to improve the internal management and the construction of gaols; to educate and teach ignorant prisoners, and especially the young; to watch over those who come out of prison, and to select those classes of punishment for infliction which seem most likely to be compatible with the moral reformation of the offender.

LOCAL GOVERNMENT.

The "Local Government" of England and Wales is conducted by means of distributing the whole country into a number of large divisions, and each of these divisions into a number of smaller ones. These divisions are very ancient, stretching more than one thousand years back, and in many cases, owing to the changes in population, are unsuited to the wants of the present

day. Thus for many purposes the old divisions have been altered; large and populous districts being broken up into several parts, and smaller districts being united together. The almost universal principle in local government is that they who pay a tax shall take part in administering the proceeds of the tax, or, at least, shall *elect* those who administer such proceeds. The only exception is in the case of Justices of the Peace, who are chosen by the Crown out of the county gentlemen with a certain amount of property, and yet, at their Court of Quarter Sessions, have command over all the money collected by taxes for the general use of the county,—as for instance for building gaols, prosecuting offenders, payment of salaries.

The largest division of the country is into *counties*. Each county is divided into a number of *parishes*—of which there are 11,099 in England and Wales—and if the parishes are small they are often joined together into *districts*; or if the parishes are very large, they are broken up into districts for certain purposes; so that, in some cases, a large parish may contain a number of districts,—or a small parish be united with other small parishes to form a district. These *districts* are always made by special Acts of Parliament, while the parishes and the counties are very ancient, and preserve their old limits.

The purposes of Local Government generally may be classed as follows:—

1. Relief of the Poor.
2. Public Health.
3. Education.
4. Taxation.
5. Construction of Public Buildings, or Halls, Libraries, Gaols, and Lunatic Asylums and Workhouses for the poor.
6. Making and Repairing Highways.
7. Prevention and Punishment of Minor Crimes.
8. Religion.

1. *Relief of the Poor*.—The principles upon which the poor are relieved are (1) that the poor who are supported by the proceeds of taxation are only those who by reason of extreme youth or age, or accident, or sickness, are unable to work, or, though able

to work, cannot obtain work. (2) A number of small parishes are joined together into a district called a "Union;" or, if the parish be very populous (as in London) a single parish makes a "Union." Every Union is liable to support its own poor; that is, all the resident householders in a parish living in houses worth above a certain value are taxed in proportion to the value of their houses for relieving the poor as above described. No poor person can be charged upon a Union unless he or his parents were born in a parish belonging to the Union, or unless they have gained a "settlement" by renting a tenement of the *minimum* value of £10 and resided therein for 40 days, and been assessed to the poor-rate and paid the same for one year. Should a person become chargeable to a Union who does not satisfy these conditions, he can be *removed* to his own Union at the expense of that Union, but not if he has resided for five years in the new parish.

The officers who administer the Poor Law in each Union are a Board of Guardians, one Guardian at least being elected annually by the ratepayers of each parish. The number of Guardians to be elected for each Union, and the qualifications of Guardians are fixed by the "Local Government Board" in London. In each *parish* there is also a special set of officers called *Overseers*. There may be only *one*, or, in the case of a large parish, there may be as many as *four*. They are elected annually by the Justices of the District at Special Sessions. In some cases Guardians are enabled to appoint a paid Assistant-Overseer. The Guardians and Overseers are not paid. Every Union is constructed by the Local Government Board in London, and all the officers of the Union under its direct and constant control. The duties of the Guardians and Overseers are as follows:—

(i.) *The Guardians* have to (1) investigate the claims of applicants for relief; (2) to provide houses for the reception of the poor; (3) to provide for the due education of pauper children; (4) to provide for the proper care of the sick poor or for the lunatic poor; (5) to provide that paupers able to work should do certain tasks set them while resident in the workhouse; (6) to send poor not belonging to the Union to their proper parishes.

(ii.) The work of the *Overseers* is (1) to grant relief in pressing cases, and before the case can be examined into by the Board of

Guardians, and (2) to make and collect the rates assessed upon the parish for the relief of the poor. These are called the "Poor rates," but the money when collected has to be applied by the Overseers not only to the use of the Guardians, but to a vast number of other purposes not strictly connected with the relief of the poor.

There are constant complaints of the inefficiency of the existing systems of poor relief. It is said that the operation of the poor laws is to multiply paupers by teaching persons to rely upon the support of the State instead of upon their own exertions. It is said that the really unfortunate poor are neglected and badly treated, while the idle, improvident, and fraudulent are relieved. It is said also that Union workhouses and hospitals are badly managed, and that the aggregation of children in pauper schools tends to perpetuate a race of paupers. It is further added that the unscrupulous mode in which relief is given by private persons tends to aggravate many of these evils. To meet this it has been suggested that no out-door relief should ever be given, except to the sick and aged, and that private persons and charitable bodies of persons should endeavour to co-operate with the poor-law authorities so as to assist them in discovering the real character and wants of applicants for relief. Some such scheme has been tried with excellent results in some parts of Germany, in Paris, New York, and Glasgow.

2. *Public Health*.—The policy of recent Acts of Parliament, has been to extend the facilities for forming, and to increase the power of, Local Boards of Health. By a recent Bill these Boards were to have had new powers conceded them of building district hospitals, but owing to the lateness of the session it was not carried through completely. These Boards are formed by the Local Government Board in London, either upon the representation of a certain proportion of the ratepayers, regularly summoned to a meeting for the purpose, or on a representation that the death rate in the district has been higher than a certain average.

It is the function of a Board of Health, and also of a "Local Board"—constituted under an Act of 1858, much in the same way as a Board of Health, and having all the powers of such a Board—to provide for the general cleanliness and health of the

district, provide for the cleansing of cesspools, the removal of nuisances, the sale of good meat, the supply of fresh water, the construction of a sound system of sewerage, the regulation of slaughter-houses and common lodging-houses, the widening of streets, the laying out of pleasure-grounds.

The Local Boards under the Act of 1858 have all the power of Boards of Health under the Act of 1848, and still more general power as to supply and open market places, and to a number of other acts previously provided for by special Acts of Parliament.

Both Local Boards and Boards of Health have considerable powers of making rates and entering into contracts, borrowing money, building and pulling down premises, though in some cases they can only act with the approval of the Local Government Board in London.

3. *Education*.—The national education of the country is now conducted partly by voluntary bodies, partly by School Boards. School Boards are Local Boards, elected somewhat in the same way as the Local Government Boards just described. There is a School Board for each of the greatest towns in the country, and School Boards are elected in other towns and districts, if, upon a report of a government inspector, it appears that there is not sufficient school accommodation, and if the inhabitants generally desire a Board. The Board when constituted has considerable power of making rates, of building schools, and has to appoint the masters, and to determine the plan of education. It can also, subject to approval by the Privy Council, make attendance at school compulsory, the parents of absent children being punishable by fine. The School Boards consist of a varying number of members, according to the size of the district. In London there are as many as between fifty and sixty. In small places there are ten to fifteen.

4. *Local Taxation*.—The present modes of local taxation in the country are very various, and the whole matter is in such a state of confusion that a Bill is to be brought into the House of Commons next session for re-adjusting it. At present the following is the general plan of local taxation. The taxes are required (1) for *General County Purposes*, as for repairing bridges, building gaols, prosecuting offenders, the maintenance of pauper lunatics, payment

of salaries to county officials: or (2) for the purposes of particular districts, as parishes or unions of parishes. Such purposes are, the relief of the poor, the repair of highways, lighting and watching, carrying out the Public Health Act of 1848, and the Local Government Act of 1858, establishing museums and public libraries under special Acts of Parliament. The amount of money needed is determined by the Board charged with the particular duty in the performance of which it is to be expended. This is generally either a Local Board, or Justices sitting at General Special Sessions, or some special Board created under particular Acts of Parliament.

When the amount of money needed is determined, the next question is how much each place or district has to pay, and what proportion of that sum each person in the place or district has to pay. In the case of the *County Rate*, the amount to be paid by each district in the county is estimated under a recent Act of Parliament (15 and 16 Vict. c. 81), by a committee of not less than five Justices, acting under the direction and appointment of a Court of General or Quarter Sessions. As to other rates, they are paid by the persons in the district in which they are to be expended.

The amount payable by each individual person is assessed upon the value of his property in the district, the property upon which he is liable to be rated being generally land or houses. The *occupier* of a house is the person who is treated as the owner, and obliged to pay the tax. The value of a house or piece of land is "assessed" by the "overseer" of the parish, and the amount "in the pound," that is, the amount everyone has to pay for each pound of rateable value of his land or house, is fixed by a meeting of ratepayers, in what is called a "vestry," or by some other special body of ratepayers, to be summoned for the purpose.

The topics 5, 6, 7, and 8 need not be treated in this place.

MUNICIPAL CORPORATIONS.

The local government of certain towns, now a very numerous body, has long differed very much from that of county districts. At different periods the Crown has granted them "Charters"—that is, has, by a public document, engaged that they shall be

governed by persons chosen out of their own body, with magistrates of their own, and to a certain extent exempted from the operation of the general law. Some of these laws have long ceased to be as important as they once were. Others have become more important; and great abuses spring up in the midst of the old (so-called) corporations. In 1835 an Act was passed for the regulation of corporate towns, and it has been introduced into about 200 towns. According to this Act, the Local Government is managed by a Town Council chosen by persons who for about three years shall have occupied any house or shop within the borough, and also been inhabitant householders within the town or within seven miles of it, and been rated in respect of the premises, and paid rates. The Councillors elect a "Mayor," or Chief Magistrate, and "Aldermen." Aldermen are elected for six years, and in London for life. The Mayor is in office for one year, but may be re-elected. Every three years one-half of the number of Aldermen retires.

The general functions of the Council, Aldermen, and Mayor are to do what has already been described as the work of Local Government Boards. The Mayor is always a Justice of the Peace. Any town is empowered to have lunatic asylums and prisons of its own. The general powers of acting and taxing belonging to a Town Council are similar to those of a Local Board.

A *Local Board* is not established for each county or town as such, but must be established in one or other of the following ways :—

1. In places having a known or defined boundary, by a resolution of the owners and ratepayers, two-thirds of those who are present at the meeting summoned for the purpose concurring in the resolution.
2. In places *not* having a known or defined boundary, by a petition to one of Her Majesty's Secretaries of State, signed by one-tenth of the ratepayers resident within the proposed new boundaries.
3. In *boroughs*, by a resolution of the Town Council.
4. In certain other places, by a resolution of the "Improvement Commissioners."

THE RAILWAY SYSTEM.

Railways are constructed by private companies under a certain special control of the State. This control is exercised in two ways :

(1) The number of railways is restricted, and it is determined in given cases whether a railway shall be made or not. On it being proposed to make a railway through a certain district, the persons who wish to form themselves into a company for the purpose, propose that a Bill shall be presented in the House of Commons, in order to carry out their ends. The House, therefore (after being satisfied that certain rules of the House called "standing orders" have been complied with) refer the Bill to a Select Committee of the House, who sit from day to day to examine witnesses as to the need and desirability of the railway, and to hear persons who oppose the railway on different grounds,—such as there being other railways in the same district, the small number of passengers or quantity of goods likely to require the use of the railway, or the injury it would cause to property lying in the direction it would run in. The Committee, after thus hearing both sides, decide whether they shall recommend the passing of the Bill or not. If they recommend it should pass, it generally is passed. The nature and effect of the Bill is to form the persons asking for it into a "Joint Stock Company," capable of holding property, making contracts, and suing or being sued at law ; to give the Company power to buy the necessary land, even against the will of the owners ; and to enable them to borrow money up to a certain amount from persons ready to lend money, on condition either of having a fixed rate of interest ("debentures"), or a proportion of interest according to the success of the undertaking ("shares").

(2) The control exercised by the State also has reference to the acts of Companies while the railway is being worked ; as with respect to the amount of payment by passengers for travelling, and the conduct of inquiries as to the cause of accidents, in which inquiries a State-inspector always takes part. This latter department belongs especially to the "Board of Trade." It is a matter of some controversy in this country whether it is expedient that the railways should all belong as they do to private companies, no more controlled by the State than in the above respects—or whether it would be better, as is the case in most other European

countries, for the railways to belong to the State, and be either managed by State officials or be leased out to private companies to be managed by them. It is said, in favour of the existing system of management by private companies, that the stimulus of profit and the concern that persons always have in matters that directly affect themselves, as well as the fact of free competition, produces a better system of management than Government could supply, and that if the railways were in the hands of Government the officials charged with the management would be badly appointed, or chosen in view of the private interest of the superior Government officials choosing them.

On the other hand, in favour of Government assuming the ownership, and, possibly, the direct management of the Railways, it is urged that the Post-office and the Telegraphic system has been better and more cheaply managed since they were taken out of private hands; that the Government alone could afford to make travelling immensely cheaper, as it need not seek to make a profit, and would not expend so much money in making the railways or in making more railways than are wanted. In all the Railway Acts passed after a certain date, Government has reserved the power of buying up the lines if at any time it should wish to do so.

POLICE.

In early times the duty of keeping the peace and preventing wrong-doing was held to lie equally upon all the inhabitants of the country; but, as all could not be constantly on the watch, the inhabitants of each Parish elected one man as *Parish Constable*, to preside over the affairs of the Parish; and four others were to be under his authority. When he "raised the hue-and-cry" everybody was bound to help to catch the offender within the bounds of that Parish, and the duty was passed on to the neighbouring parishes. But as time passed, and the country became more thickly populated, fresh arrangements were made, gradually superseding this popular election of constables, and tending to lay the responsibility of keeping order upon paid officials. The strongest traces left of the old doctrine that everybody was bound to help to keep order exist in the swearing in of *Special Constables* (see later on), and in the still existing institution of

Parish Constables in many parts of the country. These are entitled to no payment—though the Vestry may vote them payment—and they are liable to a penalty if they refuse to serve or to find a substitute, unless they come within the class of exempted persons. The persons exempted from service as constables are—(1) all members of either House of Parliament, (2) all lawyers, (3) clergy and ministers, (4) schoolmasters, (5) doctors, (6) persons employed in the civil service, (7) officers of the army and navy and officers and men serving in the yeomanry. The persons disqualified for serving as constables are all who have been convicted of any infamous crime; all dealers in excisable liquors or in beer (retail), all licensed victuallers, and all gamekeepers.

The powers of constables are divisible into (1) the execution of the criminal law, and (2) the fulfilling of duties under other portions of the law.

I.—They are to arrest (1) “disorderly persons,” as defined by an Act of Parliament; (2) persons whom they see committing a breach of the peace; (3) persons who are charged with a breach of the peace; (4) persons whom they reasonably suspect to be guilty of the graver crime of *felony*; without a warrant from a Justice of the Peace. They are to arrest any person on the warrant of a Justice of the Peace. [A warrant is a document, signed by a Justice of the Peace, authorising the arrest of the person named in it.] For the purpose of executing a warrant or of arresting on suspicion of felony they are authorised to break open doors, and even to kill the felon if he cannot be otherwise taken. “If the constable or his assistants be killed in attempting such arrest, it is murder in all concerned.” Persons refusing to help a constable in making an arrest or in keeping order are punishable. A constable cannot be sued for anything he does in execution of a Justice’s warrant; and not, after six months have elapsed, for anything he does during the performance of his duty.

II.—A large number of duties have been laid upon the Police by different Acts of Parliament, among which are the following:—(1) to take care that houses for the sale of liquors are shut at the legal hours; (2) to report, with a view to shut up houses used for purposes of prostitution; (3) similarly to report gambling houses; (4) to keep order in the London streets where there is a

great concourse of vehicles, and generally to assist in regulating the traffic of London streets; (5) to keep order in the streets of towns on the occasion of processions or great public ceremonials; (6) to interfere in case of fights or riots in the streets.

Special Constables have, during their time of office, exactly the same powers, duties, and privileges as ordinary constables, unless it is otherwise expressly stated when they are appointed.

In all the large centres of population a certain number of constables, chosen for their superior ability and education, are set apart for the purposes of tracking suspected persons, and endeavouring to find the unknown perpetrators of crimes. They are dressed in plain clothes (not uniform), are more highly paid, and are named Detectives.

There is manifest an increasing tendency in England at the present day, at the bidding of medical or other scientific specialists, to commit practically irresponsible functions to the Police. The danger of this is that the immediate sufferers from possible abuses belong to the more obscure and empoverished classes of society, who have very few opportunities of stating their grievances, and are almost impotent to obtain redress against all those commoner forms of abuse to which public attention has not been accidentally attracted. The direct consequences of government by police are habits of spying, incessant interference with all the details of domestic and social life, and inordinate temptations presented to the police themselves to favouritism or even to corruption of the vilest kinds. The more indirect consequence is the formation of a cowardly and cringing spirit, fearful not of doing wrong, but of being detected in doing wrong,—the standard of right action being fixed, not by the Law or the Lawgiver, but by the caprice of the nearest policeman. The securities against abuses lie, partly, in the necessity of satisfying a Magistrate before a warrant can be obtained even for provisional examination of an accused person; and, partly, in the legal penalties to which a corrupt or malicious policeman is liable. But the mere suspicion of a policeman is, for most offences, held to be in itself a sufficient reason for putting a suspected person on his or her defence; and yet for some offences, the very necessity of making such a defence is instant degradation and ruin. And, furthermore, it is to be noted that all Justices of the Peace are appointed by the Execu-

tive, so that, unless some glaring scandal arises, they are independent of popular control. No Jury is needed for the classes of offences now being considered; and in the prosecution of some of these classes of offences,—as those arising out of the Game Laws,—the Magistrates who administer the law have, most frequently, an obvious and direct personal interest in a conviction being obtained. The only available remedy is found to lie in attention being called in the House of Commons to such grosser perversions of justice as from time to time occur, and in the active interference of the Executive being thus invoked. But this remedy is only open while Parliament is sitting, and is, at the best, signally precarious and narrow in its operation.

The whole Police Forces of the Country may be distributed into the following classes :—

- I. Borough Constables.
- II. County Constables.
- III. Metropolitan Police Constables.
- IV. Constables for the City of London.
- V. Parish Constables.
- VI. Special Constables.

- I. The Borough Constables are in the proportion of one to 800 of population of Boroughs.
- II. The County Constables are in the proportion of one to 1,348 of the population of Counties, exclusive of Boroughs.
- III. The Metropolitan Police are in the proportion (deducting 614 who are employed in the Dockyards) of one for every 420 of the population of the Metropolitan Police District.
- IV. Constables for the City of London are in the proportion of one to 349 of population during the day in the City. (N.B.—So large a proportion of this day population of the City sleep beyond its bounds that the proportion of the City Police to the population in the night is one to 106.)

The cost of maintaining the forces in the year ending September,				
1871, was,	I. Borough Police	...	...	£537,728
	II. County Constabulary	...	...	769,945
	III. Metropolitan Police	...	...	870,925
	IV. City of London Police	...	...	64,629
	Total	...	...	£2,243,227

These expenses include clothing and accoutrements, salaries and pay, superannuation allowances, station-house charges, and all incidental expenses.

I.—The Borough Police in each Borough consist of—

1. A Head Constable.
2. Serjeants.
3. Constables.

(Appointed by the "Watch" Committee of the Town Council.)

5. Inspectors. (Appointed by Government.)

The expenses are paid partly by a Borough Rate and partly by Government.

This payment by Government amounts to one-fourth of the expenses of constabulary certified as efficient, and (in boroughs) serving a population of not less than 5,000.

II.—The County Constabulary in each County or Parliamentary Division of a County consist of—

1. A Chief Constable, (appointed by the Justices in Quarter Sessions); or two Chief Constables, if the County has been so divided as to send Members to Parliament for each Division.
2. Superintendents.
3. Serjeants.
4. Constables.

(Appointed by the Chief Constable.)

5. Inspectors. (Appointed by Government.)

The expenses are partly paid out of a Special County Rate and partly by Government.

The Borough and County Police may be consolidated on agreement, and then the Chief Constable for the County takes supreme control, and can dismiss men belonging to the Borough Police Force, though vacancies must be filled up by the Watch Committee.

If no such agreement be come to, under certain circumstances either may apply to the Secretary of State to compel consolidation.

Superannuation allowances, gratuities, and grants to widows are given, after different lengths of service, to members of the Police Forces. The fund out of which they are paid is composed

of a proportion of the salaries and wages, stopped for this purpose, and of certain judicial fines.

III.—The Metropolitan Police consists of—

1. The Chief Commissioner.
2. Two Assistant Commissioners.
3. Four District Superintendents.
4. Superintendents.
5. Inspectors.
6. Serjeants.
7. Constables.

(Appointed by the Home Secretary or by his subordinates.)

TAXATION AND THE REVENUE.

The taxes of the United Kingdom may be classified as follows:—

I.—DIRECT TAXES,—that is taxes imposed upon all persons satisfying a certain description, as, for instance, having houses of a certain value, or a certain income from other sources, or having certain articles of luxury. Such taxes are—

- (1) *The Income Tax*, bringing in a varying sum according to its amount. A penny on every pound of income brings in more than a million pounds revenue. All incomes under £100 a year are generally exempted from taxation. The amount generally levied under this head in time of peace is about £6,000,000. It is now fourpence in the pound.
- (2) *House Duty and Land Tax*.
- (3) *Assessed Taxes*, that is, taxes *assessed* or computed according to the classes of luxuries possessed by the persons paying them. These luxuries are carriages, horses, men-servants, armorial bearings, and the like.

II.—INDIRECT TAXES,—that is taxes computed on the value of certain things manufactured, sold; or imported, or as a payment on performing certain transactions, Such are—

- (1) *Customs*, that is, taxes upon imported commodities, varying with their quality and quantity, paid by the importer.
- (2) *Excise*, that is, taxes upon the manufacture or sale in this country of certain commodities.

With respect to both these, the tax falls mostly upon the buyer

of the commodities, as he has to pay a higher price, and therefore this is called *Indirect Taxation*.

- (3) *Stamps*, that is payments upon performing certain transactions. A stamp has to be fixed to the document which is the evidence of the transaction, and this stamp has to be purchased from officers of the Government. The price varies with the character of the transaction, and generally with the amount of the money involved. Taxes are payable on succeeding to property under a Will, or when a person dies without a Will, or upon being allowed to carry a person's Will into effect. "Legacy Duty, Succession Duty, and Probate Duty," are reckoned under this head. The rules are detailed, and constantly varying.

III.—Besides the products of Taxes, the Revenue is raised from—

- (1) The Postal and Telegraph Service.
- (2) The Crown Lands.
- (3) Certain Miscellaneous Expenses.

The following is about the average product of these different sources :—

<i>Direct Taxes.</i>							
Income Tax...	...	...	...	...	...	...	£6,000,000
Land and Assessed Taxes and House Duty							3,000,000

<i>Indirect Taxes.</i>							
Customs	...	...	...	...	...	...	£20,000,000
Excise	...	...	...	...	...	...	23,000,000
Stamps	...	...	...	...	...	...	9,000,000
Post Office and Telegraph Service	...	...					6,000,000
Crown Lands	...	...	...	...	...	...	400,000
Miscellaneous	...	...	...	...	...	...	3,000,000

The average product is a little over £72,000,000.

The cost of collection of the Revenue is about £5,000,000.

The expenditure of the country is distributed under the following chief items:

The Interest and Management of the	£
National Debt (amounting to a little over £700,000,000)	26,000,000
Consolidated Fund Charges (including expenses of the Royal Household [Civil List]; Annuities and Pensions; expenses of Courts of Justice)	2,000,000
Army	14,000,000
Navy	10,000,000
Civil Service	10,000,000
Collection of Revenue	5,000,000
Post Office	4,500,000
Telegraph Service	500,000

The whole amounts to about £72,000,000.

The general mode in which the taxes are collected is as follows:—At certain times in the year (now generally the beginning of the year) a printed paper is left, by a subordinate officer for collecting the Revenue, with everyone who he thinks is liable to pay any direct taxes. The person so charged is requested to “make a return”—that is, to give a written statement—of all the objects of taxation for which he deems himself liable to be taxed. This paper has to be sent back to the officer from whom it issued, by a given day; and within a short time a fresh paper is left with the person so charged, stating the exact sum of money which he is liable to pay; and mentioning when and where it is to be paid. If the person charged has any complaint to make on account of the amount of taxes imposed, or of the principle of their “assessment,” he may appeal to the Justices of the Peace for the District, sitting for the purpose, at a “Special Session.” If the person charged makes no return, or is proved to have made a false return, he is liable to pay a heavy fine.

In the case of all incomes paid by Government, as in the case of all Dividends paid by way of interest on the National Debt, a proportionate part is deducted, or “stopped,” as Income Tax.

In the case of Indirect Taxes, two kinds of machinery for their collection are employed. One is that of *licences*; by which only those persons who have bought a permission or “*licence*” from

Government are allowed to sell or to use the things the sale or use of which is taxed. The other method is that of *inspection*; by which a vast number of Government officials are appointed for the sole purpose of watching and testing processes of manufacture, and also of estimating the value of things imported.

It is obvious that the latter method of indirect taxation involves the use of very severe laws for preventing evasion of the Revenue Laws, and also very complicated machinery for detecting illicit traffic and smuggling.

THE METHOD OF COLLECTING GOVERNMENT STATISTICS.

The principal subjects of statistics collected by Government are :—

- I. Population.
- II. Army and Navy.
- III. Police.
- IV. Inquests.
- V. Civil Law.
- VI. Prisons.
- VII. Births, Deaths, and Marriages.
- VIII. Educational.
- IX. Revenue.
- X. Religion.
- XI. Medical and Sanitary.
- XII. Emigration.
- XIII. Poor Law.
- XIV. Trades.
- XV. Currency.
- XVI. Post Office.
- XVII. Diplomatic, Colonial, and Indian Affairs.
- XVIII. Exports.

The way in which the superior officers, named in the following pages, obtain these Returns will be described later on, and examples of classes of Return given.

Government collects statistics of—

- I.—1. Population.
- 2. Proportion of the sexes.
- 3. Area of each county.

4. Inhabited houses in each county.
5. Occupation of each person.
6. Age "
7. Condition "
8. Distribution of population in towns and country districts.
9. Number of army, navy, and merchant seamen abroad.
10. Number of population in proportion to the area of each county.

(By the Census.)

II.—Army and Navy abroad.

Classes from which they are drawn.

Numbers of, abroad and at home.

Cost of.

Classification of.

Distribution of.

Rate of disease and death in.

Educational and other establishments for.

Cost of administration of martial law.

Religious classification of.

Numbers of Volunteers.

Classification of "

Distribution of "

Rate of disease and death in Volunteers.

Cost of Volunteers.

Numbers of Militia.

Classification of "

Distribution of "

Cost of "

Number of ships, dockyards, and victualling and transport stations.

Classification of ships, " "

Cost " " "

Distribution " " "

(From the War Office and Admiralty.)

III.—Police establishments, population, and total cost in each Police District, with the proportion paid by the Treasury.

Number of known offenders and suspected persons at large in each Police District, and of the houses they frequent.

Number of *crimes* committed in each Police District (as far as is ascertainable), number of *persons apprehended*, and disposal of the charges against them.

Nature of the crimes committed.

Number of persons whose cases were determined "summarily" by Justices.

Result of the proceedings in "summary" cases.

Classes of persons in each District who were proceeded against.

Number of appeals from Justices' convictions.

Number of persons bailed.

Proportion of males and females apprehended.

Age of persons apprehended.

Objects of theft.

Number of each class of verdicts.

Nature of punishments.

Number of appeals, and of consequent reversal of sentence.

Proportion of criminal classes to population.

Proportion of crimes to town and country districts, and to different classes of towns and districts.

Increase or decrease of crime in town or country.

(By the Police Returns.)

IV.—Inquests.—Number of.

„ Verdicts of.

„ Age and sex of subject of.

„ Expenses of.

(By Coroner's Returns.)

V.—Civil Law Proceedings

In Court of Queen's Bench.

„ „ Common Pleas.

„ „ Exchequer.

On Circuit.

In Court of Exchequer Chambers.

- „ County Courts.
 - „ Borough, Hundred, and Manorial Courts.
 - „ Stannaries Court.
 - „ Lord Mayor's London Court.
 - „ Court of Bankruptcy.
 - „ Court of Chancery, with its subdivisions.
 - „ Divorce Court.
 - „ Probate Court.
 - „ High Court of Admiralty.
 - „ Ecclesiastical Court.
 - „ Appeals to the Privy Council.
 - „ Judicial Proceedings in House of Lords.
- (Returns by Superior Officers of each Court.)

In the case of each of these Courts returns are made as to the—

Number of causes tried or otherwise disposed of.

Nature and result of causes tried or otherwise disposed of.

State of business at the end of each quarter.

Notices of appeal from or appeals to, according to the Court.

Classification of objects of actions.

Amount of Fees paid into Court.

Classes of amounts sued for, and of amounts recovered.

VI.—Prisons.

Number and classification of officers.

Number of persons committed.

„ their previous commitments.

Age, sex, and birthplace of persons committed.

Instruction and occupation of „ „

Number of persons in each prison.

State and condition of prisons with regard to capacity, health, punishments, and number of prisoners sentenced to hard labour.

Details of expenses and total cost of each prison.

Convict Prisons,

Number of convicts in each prison.

Classification of convicts „ „

Officers of each prison.

Expenses of each prison.

(From the Governors' Returns.)

Reformatory and Industrial Schools.

Number

Age

Sex

Instruction

Occupation

Social condition

Offences committed by

Number of officers.

Cost of establishments.

} of the offenders committed to
them.

(Returns by the Governors or Managers.)

Criminal Lunatic Asylums.

Number, age, sex, of persons confined.

Offences committed by „ „

Officers and cost of establishment.

(Returns by Governors.)

VII.—Births, Deaths, and Marriages.

Number of in each Registration District.

Proportion of births to population.

Proportion of males and females born.

Ages at which persons marry.

Ages at which persons die.

Number of persons able to sign the marriage register.

Proportion of male and female deaths in infancy, and
throughout the term of average life.

Proportion of legitimate and illegitimate births.

Numbers, and proportion between the sexes, of deaths
from different diseases, dangerous occupations, and
accidents.

(From the Registrar-General's Returns.)

VIII.—Educational.

As there is no complete national system of education there are no reliable complete statistics obtained. The best sources at present accessible are the Registrar-General's Marriage>Returns, which supply the number, and proportion as between the sexes, of persons able to write at the age of marriage; the Returns of the Education, Science, and Art Department of the Privy Council, obtained from the masters, mistresses, and inspectors of such schools as receive Government aid for their support, and from the various Government institutions for scientific and artistic instruction; the statistics published by the "Schools Inquiry Commission," which had a temporary existence a few years ago.

When the whole country is reduced into School Board Districts, much more complete returns will be obtainable; but, even then, there will remain a large amount of unreported education in private families, private schools, the "Public Schools," schools started by bodies of private persons, as "Proprietary Schools," or "Limited Liability Company Schools," "Theological Institutions" and "Training Colleges," under the management and for the supply of various religious sects, and the Universities.

IX.—Revenue.

Expenses attending collection of revenue.

Accounts received from different classes of taxes, as those on land, houses, income, and commodities of different kinds, varying from time to time.

Amounts of receipts of all persons paying Income-tax.

Amount of landed property possessed by all persons paying Land-tax.

Rents of houses occupied by persons paying House-tax.

Amounts, and nature, of the transactions entered into by all persons paying Stamp-duty.

Amount of taxed commodities sold and bought in the country.

Number of persons following such occupations as require licenses.

Number of certain sorts of servants employed.

Number and nature of certain sorts of vehicles employed.

Number and nature of certain animals kept.

Number and nature of patents taken.

Value of landed property succeeded to.

Number of Wills proved.

Amount of "personal property" willed in them.

Number of fire insurances.

Value of property insured from fire.

(Returns of Board of Inland Revenue.)

Value, nature, bulk, and measure of taxable articles imported.

Proportion of these entering the country at each port.

List of places where customs are collected.

Expenses and staff of each Customs office.

Number and expense of Coast Guard, and of revenue cruisers.

(Returns of Board of Customs.)

X.—Religion.

There are no available statistics. A certain amount of popular knowledge has grown up, founded on publications issued by different sects, on reports by Royal Commissions appointed from time to time to investigate particular points, on inquiries made by private persons, and on a very imperfect return once made in a census.

XI.—Medical and Sanitary.

The statistics on these heads are very incomplete. Such as they are they include—

Sorts of diseases prevalent.

Number of cases of each sort (as far as ascertainable).

Number of deaths from each sort „ „

Age, sex, locality, of persons affected.

Results of legislative measures on death-rate and general health of localities and occupations.

(Collected from private and public sources by the Board of Trade, and by officers under the Privy Council Medical Department.)

State of towns as to—

Drainage.

Water supply.

Lighting.

Inspection of markets and shops for sale of food.

Offensive trades.

Burial grounds, &c.

Regulation and locality of shambles and bakehouses.

Removal of Sewerage.

(Board of Health.)

XII.—Emigration.

Age, sex, destination of emigrants.

(From Emigration Board.)

XIII.—Poor Law.

. Number of Parishes.

Number of "Unions."

Number, and proportion to population, of inmates of
Parish or Union Workhouses.

Age and sex of inmates.

Number of Boards of Guardians, and of Guardians in
each Board.

Number of Overseers of the Poor.

Expenses of establishments, and salaries of officers, con-
cerned in the relief of the poor, and in the collection
of poor-rates.

Number, age, condition of persons relieved.

Number, age, sex, of persons who are helped by the
poor-rates to emigrate.Numbers, age, sex, condition of lunatics in Pauper
Lunatic Asylums.

Numbers, age, sex, of children educated in pauper schools.

Number, age, sex, occupation of children apprenticed or
put to service out of workhouses.Numbers and relative proportions of legitimate and ille-
gitimate births in workhouses.

Number, proportion to number of inmates, and causes of deaths in workhouses.

(Returns of Poor Law Board.)

XIV.—Trades.

Numbers of persons employed in the principal industries.

Numbers of factories, workshops, warehouses, used for principal industries.

Nature and amount of "power" used in principal industries.

Numbers and nature of mines, and bulk of their products.

Amount of raw material used for home consumption, amount of raw material exported; amount of manufactures used at home, amount of manufactures exported.

Value of each of the last-named four amounts.

Agricultural statistics.

Number, condition, class of ships, not belonging to the Royal Navy.

Number of merchant seamen.

Dockyards for merchant shipping.

Lighthouses, their number, position, and class.

Numbers and causes of wrecks.

Numbers, limits, &c., of railways.

(Returns of Board of Trade.)

XV.—Currency.

Amount of bullion imported.

(Board of Trade Returns.)

Amount of each metal coined.

Nature of coinage.

Number and value of notes, &c., issued.

Number and value of notes returned to Bank.

(Governors and Directors of Bank of England.)

XVI.—Post Office.

Number of letters transmitted.

Number of telegrams transmitted.

Number of books and other parcels transmitted.

Amount of money-orders issued.

Number of depositors in Post Office Savings Banks.

Percentage of letters, telegrams, parcels, and deposits to the population.

Number and cost of establishments for letter post, telegraphs, and Post Office Savings Banks.

(Postmaster General's Returns.)

XVII.—Diplomatic, Colonial, Indian Affairs.

These are collected under heads similar to those of Great Britain and Ireland, by the Foreign Office, Colonial Office, and India Office respectively, through their subordinates in each department of government abroad. Further details would be unnecessary.

XVIII.—Exports.

Amount, nature, and value of articles exported, either raw or manufactured.

Value of such exports to each place of destination.

Proportion of exports to imports of all the principal sorts of commodities.

(Board of Trade Returns.)

Specimen of Mode of Collecting Details.

I.—*Population.*

The Census is taken on one night in every ten years, when the persons temporarily appointed for the purpose require an account of the persons in each house or building between certain hours, the ships in harbours being also included. The Census in England and Wales in 1871, April 3, gave such results as the following :—

(1) 22,704,108 inhabitants.

(2) 11,663,705 women ; 11,040,403 men.

(3.) { Bedford, 295,582 statute acres.
Berks, 451,210 „ „
&c.

(4.) { Bedford, 30,508.
Berks, 39,612.
&c.

- (5, 6, & 7.) " John Smith, tailor, 43, married.
 Jane Smith, no occupation, 41, married.
 Thomas Smith, tailor's apprentice, 16, single.
 Mary Jones, servant, 21, single."
 (8.) { Towns, population in, 12,900,297.
 Country districts, population in, 9,803,811.
 (9.) 207,198.
 (10.) { Bedford, 146,256.
 Berks, 196,445.
 &c.

These numbers refer to those given under the general heads above.

II.—*Army and Navy.*

The Secretary of State for War receives statistics from the Commander-in-Chief, and he from the Generals of Division, and so downward, to the lowest rank of military and medical officers.

In 1871-72 the Army was to cost £15,851,700 ; including £1,855,706 for the colonies.

In 1871-72 the Army was to consist of 135,047 men ; including 25,093 for the colonies.

Classified as *Officers on the General and Departmental Staff.*

Namely :—General Staff	...	...	87
Chaplain's Department	...	...	77
Medical Department	...	...	613
Control Department	...	...	476
Total	...	...	1,253

Regiments.

	Officers.	Noncommissioned Officers.	Rank and file.
Royal Horse Artillery ...	120	219	2,498
Life Guards and Horse Guards	81	192	2,498
&c.			

The Board of Admiralty obtain statistics, similar to those of the Army, from their Financial and Permanent Secretaries, and they from the heads of different departments, and so down to the subordinate officers, naval, medical, in dockyards, and in the victualling and transport departments.

So with the other subjects of statistics in detail.

THE NATIONAL CHURCH.

In England and Wales there is what is called an *Established Church*,—that is, a particular form of religious worship which is favoured by the State, and to a certain extent controlled and conducted by officers appointed by the State. At one time the form of religion which is now “established” in England was the religion of the whole people. This is so no longer, and in fact a large proportion of the people, though it is not accurately known *what* proportion, do not profess exactly the same form of religion as that of the Established Church. The effects of the Church being established are the following :—

1. The Queen (or King) must be a member of the Church of England. She is crowned by help of a solemn religious ceremony, which the ministers of the Established Church conduct, and it is these ministers who administer to her what is called the “Coronation Oath.”
2. The English and Welsh “Bishops,” or chief ministers of the Established Church, with the exception of one (the one last appointed) are *ex officio* members of the House of Lords.
3. The forms to be observed in the public worship of the Established Church are fixed, and can only be altered, by Act of Parliament.
4. Most of the buildings, that is, the churches and cathedrals, used for public worship are, in some sense, the property of the nation, and are only used by the ministers of the Church, appointed from time to time as trustees for the nation.
5. All the appointments to Bishoprics, Arch-bishoprics, and Deaneries, (that is, the presidency of bodies of ministers attached to a cathedral church, and called “Chapters,”) are in the gift of the Crown, and a large number of appointments to minor positions, or “livings,” are also in the gift of the Crown.
6. All irregularities, or church offences, committed by the clergy are cognisable in special Church Courts, and, in the last resort, in the Court of the Judicial Committee of the Privy Council.

It is to be noticed that though in England one form of religious worship is "established" by law, yet the utmost toleration is shown to all other forms, of which there are a great many. Some of these forms very nearly resemble that of the Established Church; and any breach of contract or wrong done, through which injury is sustained by members of religious bodies outside the Established Church, is cognisable in the ordinary courts of justice. There are a vast number of persons in the country who desire that the Church of England should be "disestablished," and a Bill for this purpose is brought into the House of Commons every year, but not many members vote for it. The result of disestablishment, if completely carried out, would be to give no political preference to ministers or members of the Church of England over those of other religious bodies. Thus the Queen would no longer need to be crowned by ministers of that Church, Bishops would not sit in the House of Lords, Parliament would no longer interfere with the forms of worship (which would thus have to be settled by the members of the Church themselves), and the special Church Courts would no longer exist.







A PRIMER
OF THE
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AND
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